

JOURNAL
OF
THE SENATE

OF THE
STATE OF ALABAMA

SPECIAL SESSION OF 1932

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SECRETARY OF THE SENATE

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JOURNAL
OF
THE SENATE
OF THE
STATE OF ALABAMA

SPECIAL SESSION, 1932

TWENTY-FOURTH DAY

Tuesday, October 18th, 1932

The Senate met pursuant to adjournment, Lieutenant-Governor Merrill, presiding.

PRAYER

By Dr. Henry M. Andrews of Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:
Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin
Hildreth

Hooton
Hubbard
Jordan
Kelley
Lapsley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—35

JOURNAL

On motion of Mr. Craft, the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Beasley (by request):

S. 243. To permit the use, hire or letting of convict labor, state and/or county, for use in the construction or maintenance of drains, outlets for drains and/or reopening of any filled or partly filled drains and/or for the construction or maintenance of any levees in connection with drains, established or constructed now or that may be hereafter established or constructed under the provisions of present or future enacted general laws relating to drainage districts incorporated to promote public health and general welfare; and to provide ways and means of effecting such use, hiring or letting and methods of effecting such results.

Committee on Public Health.

By Mr. McDaniel:

S. 244. To amend Sections 312 and 324 of the Code of Alabama, 1923, relating to county depositories in lieu of county treasurers.

Committee on Judiciary.

By Mr. Darden:

S. 245. For the relief of S. P. Lorren for damages sustained by him to his automobile on or about June 1st, 1931, and for medical and hospital bills paid out by the said S. P. Lorren on or about said date treating the wounds and injuries for Earl Porter and Harvey Warmack as a result of the negligence of the Highway Department Crew working on the Highway between Edwardsville and Fruit-hurst in Cleburne County, Alabama, and to make an appropriation to pay the same out of any funds in the State Treasury not otherwise appropriated.

Committee on Finance and Taxation.

By Mr. Craft:

S. 246. To establish a Budget and provide for the preparation of a Budget for the Public School System of Mobile County by the Board of School Commissioners of Mobile County; to provide that the appropriations by such Board shall not exceed the income of the Public School System of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by the Board of School Commissioners of Mobile County or any department or agency of the Public School System of Mobile County having charge of the disbursements and expenditures of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present special session of the Legislature of Alabama for the passage of the following bill:

"A BILL TO BE ENTITLED

AN ACT to establish a Budget and provide for the preparation of a Budget for the Public School System of Mobile County by the Board of School Commissioners of Mobile County; to provide that the appropriations by such Board shall not exceed the income of the Public School System of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by the Board of School Commissioners of Mobile County or any department or agency of the Public School System of Mobile County having charge of the disbursements and expenditures of county funds from expending or contracting to expand any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby established a Budget for the Public School System of Mobile County for the purpose of promoting economy and efficiency in the finances of said Public School System.

Section 2. It shall be the duty of the Board of School Commissioners of Mobile County to prepare and adopt a Budget of the entire expenses and income of the Public Schools of Mobile County. Said Board shall have authority to demand information or records or both from any agency or institution of the Public School System of Mobile County. The Budget so prepared shall be submitted in an open meeting for final adoption for each year upon the first meeting in October, but the Budget for the current year shall be submitted at an open meeting for final adoption within ten days after this act goes into effect. The Budget shall show the entire expenses for operating the public schools of Mobile County for the ensuing year, giving the amount proposed to each agency, department or institution thereof, and shall also show the proposed revenue by means of which the appropriations ought to be met and giving the amount from every source of revenue separately. The appropriations and the estimated revenues must balance each other, and the estimated revenue shall not be in excess of the revenue for the past year except revenue to be received from new and additional taxes or other sources.

Section 3. The fiscal year of the government of the Public School System of Mobile County shall commence on the first day of October and end on the thirtieth day of September, and all agencies, institutions and departments of the Public School System shall use such fiscal year and equal quarterly divisions thereof for the purpose of uniform accounting and reporting.

Section 4. Each agency, institution and department of the Public School System of Mobile County shall file with the Board of School Commissioners of Mobile County not later than the fifteenth of the following month after each quarter a quarterly report which report shall show all receipts from every source and all expenditures itemized and classified in accordance with the Budget classifications.

Section 5. The Board of School Commissioners of Mobile County is authorized to make such rules and regulations as may be necessary to carry into force and effect the purposes and provisions of this Act.

Section 6. It shall be the duty of the Board of School Commissioners of Mobile County to make appropriations in the following manner: first, for the

payment of all charges required by legislative act; second, for the payment of all interest carrying charges and sinking fund for the retirement of all existing indebtedness, including a sinking fund to retire any deficit not funded which fund shall receive from the income of said Board a sum sufficient to retire and pay any such deficit over a term of not more than ten years; third, for the operation, maintenance and support of all other departments, institutions, agencies and charges. If the said Board shall determine at any time that its total income is insufficient to make all appropriations payable in full in the amounts named in such appropriations, it shall be the duty of the Board and they are authorized and required to restrict appropriations beginning with those placed in the third classification which shall be reduced proportionately until such appropriations are completely extinguished, thereafter the appropriations in classification two shall be reduced proportionately, and so on in this order until in the opinion of the Board the appropriations shall equal the estimated income, provided, however, that in event there are sufficient funds at the end of a fiscal year to pay all appropriations in the amounts named, then all appropriations shall be paid in full.

Section 7. It shall be unlawful for any official or employee of any institution, agency or department maintained in whole or in part by the Board of School Commissioners of Mobile County, having charge of disbursements or expenditures or funds during any fiscal year, to expend, contract for the expenditure or permit the incurring of any liability in excess of the income and/or unexpended balance to the credit of such institution, agency or department for such fiscal year. It shall be and is hereby made the duty of the Board of School Commissioners of Mobile County and any and all officials or employees of every institution, agency or department of the Public School System of Mobile County to keep the expenditures and obligations within the amount of said income.

Section 8. Any member of the Board of School Commissioners of Mobile County, or any employee or official of any institution, agency or department maintained in whole or in part by Mobile County violating the provisions of Section Seven of this Act or who shall fail or refuse to comply with the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than Fifty (\$50.00) Dollars nor more than Five Hundred (\$500.00) Dollars, or imprisonment in the County Jail for not less than thirty (30) days nor more than six (6) months, or by both such fine and imprisonment, and in addition thereto shall be personally liable and liable on his bond for the amount of the excess thus unlawfully expended which unlawful expenditures may be considered grounds for impeachment and/or removal from office of such employment.

Section 9. This Act shall take effect immediately upon its passage.

Section 10. All laws or parts of laws in conflict herewith are expressly repealed."

JOHN CRAFT.

J. G. McDonnell being sworn, says that he is Clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached, appeared in the issues of Sept. 26, Oct. 3-10-17, 1932.

J. G. McDONNELL,

Sworn to and subscribed before me this 17th day of October, 1932.

GEORGE A. SOSSAMAN,

Notary Public.

By Mr. Craft:

S. 247. To repeal an Act of the Legislature of Alabama approved March 8th, 1915, entitled "An Act to provide detention homes for juvenile delinquents in Mobile County, including the ap-

pointment of officers and the fixing of their salaries and the control of said homes".

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present special session of the Legislature of Alabama for the passage of the following bill:

"A BILL TO BE ENTITLED

AN ACT to repeal an act of the Legislature of Alabama approved March 8th, 1915, entitled "An Act to provide detention homes for juvenile delinquents in Mobile county, including the appointment of officers and the fixing of their salaries and the control of said homes."

Be it enacted by the Legislature of Alabama:

Section 1. That the Act of the Legislature of Alabama approved March 8th, 1915, entitled "An Act to provide detention homes for juvenile delinquents in Mobile county, including the appointment of officers and the fixing of their salaries and the control of said homes" be and the same is hereby repealed."

J. G. McDonnell being sworn, says that he is Clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached, appeared in the issues of Sept. 26, Oct. 3-10-17, 1932.

J. G. McDONNELL,

Sworn to and subscribed before me this 17th day of October, 1932.

GEORGE A. SOSSAMAN,
Notary Public.

By Mr. Craft:

S. 248. To repeal an Act of the Legislature of Alabama approved September 2nd, 1927, entitled "An Act to provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present special session of the Legislature of Alabama for the passage of the following bill:

A BILL TO BE ENTITLED

AN ACT to repeal an act of the Legislature of Alabama, approved September 2nd, 1927, entitled "An Act to provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof."

Be it enacted by the Legislature of Alabama:

Section 1. That the Act of the Legislature of Alabama approved September 2nd, 1927, entitled "An Act to provide detention homes for juvenile

delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof" be and the same is hereby repealed.

J. G. McDonnell being sworn, says that he is Clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached appeared in the issues of Sept. 26, Oct. 3, 10, 17, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 17 day of October, 1932.

GEORGE A. SOSSAMAN,
Notary Public.

By Mr. Craft:

S. 249. To repeal an Act of the Legislature of Alabama approved August 16th, 1919, entitled "An Act to amend Section 1, of an Act entitling an Act 'Creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties.'"

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present special session of the Legislature of Alabama for the passage of the following bill:

"A BILL TO BE ENTITLED

AN ACT to repeal an Act of the Legislature of Alabama approved August 16th, 1919, entitled "An Act to amend section 1, of an Act entitled an Act "Creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

Be It Enacted by the Legislature of Alabama:

Section 1. That the Act of the Legislature of Alabama approved August 16th, 1919, entitled "An Act to amend section 1, of an Act "Creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their power and providing a commission to aid in carrying out the work of the court and prescribing its duties" be and the same is hereby repealed."

J. G. McDonnell being sworn, says that he is Clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached appeared in the issues of Sept. 26, Oct. 3, 10, 17, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 17th day of October, 1932.

GEORGE A. SOSSAMAN,
Notary Public.

By Mr. Craft:

S. 250. To repeal an Act of the Legislature of Alabama approved March 29th, 1915, entitled "An Act creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that application will be made to the present special session of the Legislature of Alabama for the passage of the following bill:

"A BILL TO BE ENTITLED

AN ACT to repeal an Act of the Legislature of Alabama approved March 29th, 1915, entitled "An Act creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

Be It Enacted by the Legislature of Alabama:

Section 1. That an act entitled "An Act creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties" approved by the Legislature of Alabama March 29th, 1915, be and the same is hereby repealed."

J. G. McDonnell being sworn, says that he is Clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached appeared in the issues of Sept. 26, Oct. 3, 10, 17, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 17 day of October, 1932.

GEORGE A. SOSSAMAN,
Notary Public.

By Mr. Craft:

S. 251. To repeal an act of the Legislature of Alabama approved October 1st, 1923, entitled "An act creating and establishing the Juvenile Court of Mobile County, defining its powers and jurisdiction and providing for the process and procedure of said court; for the equipment of said court, for the judge and officers of said court, their terms of office and their salaries, and defining their duties, and the payment by the Board of Revenue and Road Commissioners of Mobile County of all premiums that may accrue

on account of the bond of the clerk thereof; for the transportation of the probation officers; for the service of process, including warrants, and the fees thereof and the payment of said fees; for the detention of juvenile delinquents; providing for a commission to aid in carrying out the work of the court and prescribing its duties; and providing for appeals from any final order or judgment of said court; (making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency of any child sixteen years of age, or under, or produce, promote or contribute to the conditions which render any child delinquent, and providing the punishment therefor:) providing for the transfer of certain cases to said Juvenile Court. Providing for the support and maintenance in certain cases of delinquent children by the Board of Revenue and Road Commissioners of Mobile County; providing for the apprehension of such children and the commitment of them to any family, association, or institution; for the transportation of such children and the payment of the costs by Mobile County; providing for the commitment of Juvenile delinquents to any family, association or institution within the State to which they may be respectively committed, and providing for the payment of the costs thereof by the Board of Revenue and Road Commissioners of Mobile County, providing for payment by the City of Mobile, of one-half of the expenses arising out of the operation of said court; and for the protection of said children against any disqualification or prejudice in any other court, or in the civil service of the state or municipality on account of any judgment or order of said court, or any confession, statement, declaration or admission or silence or demeanor of said Juvenile delinquents, or any statement made to any person or officer of the court, and providing for the repeals of certain laws."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

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Notice is hereby given that application will be made to the present special session of the Legislature of Alabama for the passage of the following bill:

" A BILL TO BE ENTITLED

AN ACT to repeal an Act of the Legislature of Alabama approved October 1st, 1923, entitled "An Act creating and establishing the Juvenile Court of Mobile County, defining its powers and jurisdiction and providing for the process and procedure of said court; for the equipment of said court, for the judge and officers of said court, their terms of office and their salaries, and defining their duties, and the payment by the Board of Revenue and Road Commissioners of Mobile County of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of the probation officers; for the service of process, including warrants, and the fees thereof

and the payment of said fees; for the detention of juvenile delinquents; providing for a commission to aid in carrying out the work of the court and prescribing its duties; and providing for appeals from any final order or judgment of said court; (making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency of any child sixteen years of age, or under, or produce, promote, or contribute to the conditions which render any child delinquent and providing the punishment therefor;) providing for the transfer of certain cases to said Juvenile Court. Providing for the support and maintenance in certain cases of delinquent children by the Board of Revenue and Road Commissioners of Mobile County; providing for the apprehension of such children and the commitment of them to any family, association, or institution; for the transportation of such children and the payment of the costs by Mobile County; providing for the commitment of Juvenile delinquents to any family, association or institution within the State to which they may be respectively committed, and providing for the payment of the costs thereof by the Board of Revenue and Road Commissioners of Mobile County, providing for payment by the City of Mobile, of one-half of the expenses arising out of the operation of said court; and for the protection of said children against any disqualification or prejudice in any other court, or in the civil service of the state or municipality on account of any judgment or order of said court, or any confession, statement, declaration or admission or silence or demeanor of said Juvenile delinquents, or any statement made to any person or officer of the court, and providing for the repeals of certain laws."

Be it enacted by the Legislature of Alabama:

Section 1. That the Act of the Legislature of Alabama approved October 1st, 1923, entitled "An Act Creating and establishing the Juvenile Court of Mobile County, defining its powers and jurisdiction and providing for the process and procedure of said court; or the equipment of said court, for the judge and officers of said court, their terms of office and their salaries; and defining their duties, and the payment by the Board of Revenue and Road Commissioners of Mobile County of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of the probation officers; for the service of process, including warrants, and the fees thereof and the payment of said fees; for the detention of juvenile delinquents; providing for a commission to aid in carrying out the work of the court and prescribing its duties; and providing for appeals from any final order or judgment of said court; (making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency to any child sixteen years of age, or under, or produce, promote, or contribute to the conditions which render any child delinquent, and providing for the punishment therefor;) providing for the transfer of certain cases to said Juvenile Court. Providing for the support and maintenance in certain cases of delinquent children by the Board of Revenue and Road Commissioners of Mobile County; providing for the apprehension of such children and the commitment of them to any family, association, or institution; for the transportation of such children and the payment of the costs by Mobile County; providing for the commitment of Juvenile delinquents to any family, association or institution within the State to which they may be respectively committed, and providing for the payment of the costs thereof by the Board of Revenue and Road Commissioners of Mobile County, providing for payment by the City of Mobile, of one-half of the expenses arising out of the operation of said court; and for the protection of said children against any disqualification or prejudice in any other court, or in the civil service of the state or municipality on account of any judgement or order of said court, or any confession, statement, declaration or admission or silence or demeanor of said Juvenile delinquents, or any statement made, to any person, or officer of the court, and providing for the repeals of certain laws" be and the same is hereby repealed."

J. G. McDonnell being sworn, says that he is clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement attached appeared in the issues of Sept. 26, Oct. 3-10-17, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 17 day of October, 1932.

GEORGE A. SOSSAMAN,

Notary Public.

By Mr. Teasley:

S. 252. To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby and a lien against such premises.

Committee on Municipalities and Municipal Organizations.

By Mr. Teasley:

S. 253. To provide for the purchase, construction and improvement of waterworks systems in cities, villages and incorporated towns in the State of Alabama and to provide for the issuance of revenue bonds payable solely out of the revenues derived therefrom, and to provide for the operation of such systems in case of deficiencies in revenue.

Committee on Municipalities and Municipal Organizations.

By Mr. Walker:

S. 254. To amend Section 5392 of the 1923 Code of Alabama.
Committee on Revision of Laws.

By Mr. Walker:

S. 255. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively provide for the supervision, inspection and regulation by said Commission, in the public interest, of transportation companies as defined by Section 9709 of the Code of Alabama of 1923, and to provide for the assessment, collection and payment of supervision and inspection fees by such transportation companies.

Committee on Judiciary.

By Mr. Walker:

S. 256. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said com-

mission in the public interest of public utilities, and of their relations and contracts with holding companies and affiliated interests; and so as more effectively to provide for the supervision, inspection and regulation by said commission in the public interest of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and charges; facilities and plants; franchises licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the commission on or with the provisions of this act; and as a part hereof, to amend Sections 9750 and 9753 of the Code of Alabama of 1923.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Edmundson, Chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Teasley:

S. 242. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 110,000 people according to the last Federal census or any such census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to authorize, empower and require the Courts of County Commissioners, Boards of Revenue or other Courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books and stationery, and to provide for the payment of same.

RESOLUTION

Mr. Bonner offered the following Senate Resolution: Which was, under a suspension of the Rules, put upon its immediate passage and adopted:

S. R. 77. Whereas, the people of Alabama have long been committed to the policy of providing universal education at governmental expense; and,

Whereas, both the adequacy and the certainty of appropriated funds are essential to efficient educational administration; and,

Whereas, our entire public school system, from lowest school to highest school, is in a demoralized condition, owing to non-pay-

ment of salaries, the release of appropriations being in arrears for eight to twenty-four months; and,

Whereas, there is a widespread feeling among the people of the State that certain funds specifically set apart by the Constitution and by the statutes for the support and maintenance of schools have been used for other than educational purposes; and,

Whereas, the prompt publication of full and accurate information regarding educational funds is necessary, not only to promote efficient administration, but also to dispel uncertainty, suspicion, and fear upon the part of all concerned; therefore,

Be it resolved by the Senate of Alabama that the State Treasurer be, and he is hereby, requested forthwith to submit to the Legislature for its information and guidance a report showing:

1. An itemized statement of receipts and disbursements of the Public School Fund (General Education Fund) for each of the fiscal years of 1930-31 and 1931-32, indicating whether any of such disbursements were made from moneys derived from certified warrants that are still unpaid.

2. An itemized statement of the receipts and disbursements of the Alabama Special Educational Trust Fund for each of the fiscal years of 1930-31 and 1931-32, indicating the amount derived from each source of receipts as provided in Section 2 of the Revenue Act of 1927, and showing the amount disbursed for each appropriation as set out in Act No. 382 of the 1927 Legislature.

3. A statement indicating whether the revenues constituting the Public School Fund (General Education Fund) and the Alabama Special Educational Trust Fund were reserved and applied exclusively as required by law during each of the fiscal years of 1930-31 and 1931-32.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 329. To permit certain amusements, recreations and entertainments to be furnished and engaged in on Sunday in cities of sixty thousand or more population according to the last or any succeeding Federal Census, and to provide a method whereby such amusements and recreations on Sunday may be prohibited in such cities, and to repeal all laws and parts of laws in conflict with the provisions of this Act.

Also:

H. 473. To further amend an Act entitled, "An Act to establish a Board of Revenue for Conecuh County, in lieu of the Court of County Commissioners as now provided by law. To relieve the Judge of Probate of his duties as Chairman of said Court or Board,

to provide for the election of the members of said Board and for the election of a Chairman and Clerk thereof, and to fix their terms of office; to fix the powers and duties of the members of said Board, the Chairman and Clerk thereof, and to provide for their compensation.", Approved August 27, 1927 (Local Acts of 1927, page 241 to 245, inclusive), and the Act amending said Act approved March 6, 1931 (Local Acts of 1931, page 31), by amending Section 10 of said Act as amended, to read as hereinafter set out; to provide for the repeal of all laws or parts of laws in conflict herewith; and to provide when this Act shall take effect.

Also:

H. 474. To repeal an Act entitled, "An Act to create the office of Road Supervisor for Conecuh County, Alabama; to provide for his appointment, discharge, or removal; to fix his qualifications and prescribe his duties, powers, and authority; to provide for the manner of allowance and payment of claims approved by him; to fix his compensation and manner of payment; to fix his bond; to provide an expense account and the manner of payment; to provide for his appointment in the event the Board of Revenue fails to act; to provide when this Act shall take effect; to provide that any section or provision of this Act being held invalid shall not affect the validity of any other section or provision; and the repeal of all laws and parts of laws in conflict with the provisions of this Act, insofar as they apply to Conecuh County, Alabama," Approved March 4, 1931.

Also:

H. 496. To provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners.

Also:

H. 497. To better provide for the working of the public roads of Pike County, and to authorize the Court of County Commissioners of Pike County to accept a money compensation from those liable to road duty in lieu of road work, to be fixed by them, not to exceed four dollars per capita per annum.

Also:

H. 498. To provide for the election of a County Superintendent of Education for Shelby County, Alabama, by the qualified voters of said County; to provide the duties and fix the term of office and compensation and qualifications of such officer, and to provide for the selection and expenses of clerical help for said office and other expenses incident thereto.

Also:

H. 499. To repeal an act to better provide for the working of the public roads in Pike County, Alabama, prescribe rules and

regulations for the same, and prescribe penalties for the violation of the provisions of this act, approved July 19, 1907.

Also:

H. 500. To fix the salary of the Tax Assessor of Tallapoosa County, and to provide for clerical assistance and other expenses in said office; to fix the salary of the Tax Collector of Tallapoosa County, and to provide for clerical assistance and other expenses in said office; to require each of said officers to collect all the fees, compensations and allowances, heretofore collected by said officials, and to pay same into the County Treasury, and to provide for the payment of the salary, clerical assistance, and other office expense out of the general funds of the County.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 88. An Act To redefine the duties of the State Auditor and to provide for the employment and compensation of assistants and clerical help in the office of State Auditor; to relieve the State Auditor of certain duties now imposed by law; to transfer certain of such duties as are now by law required of the State Auditor to the State Tax Commission, and/ or State Commission of Forestry and/or the Office of State Comptroller.

S. 141. To amend section 3762 of the Code of Alabama, 1923. Relates to Fees and Compensation of witnesses in criminal cases.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present and immediately after their titles had been publicly read at length by the Secretary

of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following Joint Resolution and sends same herewith to the Senate:

By Messrs. Allen and Culver:

H. J. R. 138. Whereas, Lamar Smith of Gadsden, Alabama, who is the husband of the President of the Womens Christian Temperance Union of Alabama died suddenly on yesterday, October 13th; be it

Resolved, By the Legislature of Alabama that in appreciation of the distinguished position held by the wife of the deceased and the service rendered by her and the Womens Christian Temperance Union of Alabama, that we express deeply our sympathy for and extend our condolences to the bereaved family; be it further

Resolved, That a copy of this resolution be transmitted to Mrs. Lamar Smith, President of the W. C. T. U. of Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. No. 138, set out in the foregoing Message from the House, was read and referred to the standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 265. To prescribe the duties and fix the compensation of the Deputy Solicitor for Lamar County, Alabama, and to repeal all laws and parts of laws in conflict with this Act.

J. H. Stewart,
Clerk.

REPORT FROM RULES COMMITTEE

Mr. Powell, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 74. Requesting an opinion of the Justices of the Supreme Court as to the Constitutionality of Senate Bill 241.

And on motion of Mr. Craft, said report was concurred in and the Resolution was adopted.

BILLS ON THIRD READING

The bill:

S. 192. For the relief of W. T. Johnson; To provide for the refund of Fifteen Hundred and No/100 Dollars (\$1,500.00) being the proportionate part paid for a license to do business and such business was after prohibited by law before the time granted in the license had expired: To authorize the Auditor to issue a voucher for said amount, and to authorize the Treasurer of the State of Alabama to pay the same out of the general fund.

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill to-wit:

Amend S. B. No. 192 by striking out the words and figures "Fifteen Hundred (\$1500.00) Dollars" where they appear in the caption and Section 1 of the Act, and insert in lieu thereof the words and figures "One Hundred and Fifty (\$150.00) Dollars".

Which was adopted.

Yeas, 28; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Garrett	Millsap
Beasley	Darden	Goodwin	Mullins
Bonner	Delony	Hildreth	Powell
Brown	Duncan	Hooton	Shepherd
Caffey	Edmundson	Hubbard	Walker
Cooper	Faulk	Jordan	Warren
Cowart	Fletcher	McDaniel	Wikle

—28

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 31; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Jordan	Shepherd
Caffey	Faulk	Kelley	Walker
Cooper	Fletcher	McDaniel	Warren
Cowart	Garrett	McDowell	Wikle
Craft	Goodwin	Millsap	

—31

The bill:

H. 12. To provide for the levy, assessment, payment and collection of an excise tax for the privilege of engaging in the State of Alabama in the business of banking and of conducting a financial business employing moneyed capital coming into competition with the business of National Banks, to provide for the making of re-

turns for assessment of said tax, to prescribe the rate of such tax and the privileges and exemptions secured by its payment, to provide for the distribution of the proceeds of such tax to the State and to the several counties and municipalities of the State, penalties for failure to make such returns and for failure to pay said tax, and to exempt moneyed capital so employed and shares of corporations and associations which return and pay said excise tax from ad valorem taxation.

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill to-wit:

Amend Substitute for H. B. No. 12 as follows:

Amend Section 3, by striking out the words "at the rate of four per cent of such net income." Where they occur at the end of line 6 and at the beginning of line 7 on page 5 and add in lieu thereof the following, "At the rate of five per cent of such net income."

Which was adopted.

Yeas, 29; nays, 1.

Yeas:

Messrs.:

Bartlett	Darden	Garrett	Millsap
Beasley	Delony	Goodwin	Mullins
Bonner	Duncan	Hildreth	Powell
Brown	Edmundson	Hubbard	Riddle
Caffey	Farmer	Lapsley	Walker
Cooper	Faulk	McDaniel	Warren
Cowart	Fletcher	McDowell	Wikle
Craft			

—29

Nay:—Mr. Hooton.

— 1

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Farmer	Jordan	Riddle
Bonner	Faulk	Kelley	Scruggs
Brown	Fletcher	Lapsley	Shepherd
Caffey	Garrett	McDaniel	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden	Hooton		

—30

The bill:

H. 73. In relation to the educational system of Alabama; to make appropriations and provide funds for lengthening the terms of the elementary public schools of the State and to prescribe

conditions or apportionment and expenditure of such funds or appropriations.

Was read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Garrett	Lapsley
Beasley	Darden	Goodwin	McDowell
Bonner	Delony	Hildreth	Mullins
Brown	Duncan	Hooton	Powell
Caffey	Farmer	Hubbard	Scruggs
Cooper	Faulk	Jordan	Warren
Cowart	Fletcher	Kelley	Wikle

—28

The bill:

H. 131. For the relief of William H. Winston and Estella Winston both of Clarke County, Alabama, whose son Percy Winston was killed by a crazed inmate of the Alabama insane hospital at Mt. Vernon, Alabama, while the said Percy Winston was in the discharge of his duties as an employee of the State of Alabama at said hospital.

Was read a third time at length and passed.

Yeas, 29; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hubbard	Powell
Beasley	Delony	Jordan	Riddle
Bonner	Duncan	Kelley	Shepherd
Brown	Farmer	McDaniel	Teasley
Caffey	Garrett	McDowell	Walker
Cooper	Goodwin	Millsap	Warren
Cowart	Hooton	Mullins	Wikle
Craft			

—29

The bill:

H. 449. To require and levy an occupation, license or privilege tax on every person who is an official of the State of Alabama, or who is employed by the State of Alabama, or by any department, agency, commission, board or institution of the State of Alabama, or who is an official of any county of the State of Alabama or an employee of any county, or of any agency, board, or commission of said county, or who is an official or employee of any municipality or of any department, agency, commission, or board of any municipality, and whose compensation, either from salary or fees, exceeds the sum of \$1,200.00 per annum; to provide that the warrant, check or voucher for the payment of the salary of such official or employee shall be for the amount of the salary or compensation less the said tax and that where the compensation is by fees instead of salary the official or employee receiving such fees shall report the

same and shall pay into the Treasury of the State, County or Municipality, the amount of the said tax, and to provide for the time of payment of such tax.

Was taken up.

The Committee on Finance and Taxation reported the following amendments to said bill to-wit:

Provided, however, that in all cases where there has been, since January 1st, 1931, a voluntary or involuntary reduction in the salary or compensation of any officer or employee affected by the provisions of this act, the percentage of such reduction or reductions shall be deducted from the percentage of deduction provided for by this act.

By striking out section four thereof and by striking out of the Caption of said bill all reference to Municipal officers or employees.

On motion of Mr. Teasley, said committee amendments were laid on the table.

Mr. Teasley then offered the following substitute for said bill, to-wit:

Senate substitute for H. 449:

A BILL

To be entitled An Act to require and levy an occupation, license or privilege tax on every person who is an official of the State of Alabama, or who is employed by the State of Alabama or by any department, agency, commission, board or institution of the State of Alabama, or who is an official of any county of the State of Alabama or an employee of any county or of any agency, board, or commission of said county, and whose compensation, either from salary or fees, exceeds the sum of \$1200.00 per annum; to provide that the warrant, check or voucher for the payment of the salary of such official or employee shall be for the amount of the salary or compensation less the said tax and that where the compensation is by fees instead of salary, the official or employee receiving such fees shall report the same and shall pay into the treasury of the State the amount of the said tax, and to provide for the time of payment of such tax.

Be It Enacted by the Legislature of Alabama—

SECTION 1. DEFINITIONS.

(a) When used in this Act the word "OFFICER" shall mean and include all officers where a commission issued in the name and by the authority of the State of Alabama is required before entering upon and exercising the duties of their respective offices.

(b) The word "Employee" or "Employees" shall mean and include all persons receiving a salary paid out of any appropriations made by the State of Alabama or any of the several counties, including appropriations made to any department, board or insti-

tution and all other persons receiving salaries from the State and the several counties not included in subdivision (a) of this Section.

(c) The word "Salary" shall mean and include any and all amounts received by any officer or employee, whether salary, fees, commissions, compensation, emoluments and ex-officio fees for services and all other amounts received under and by virtue of the office for the personal use of any officer or employee, less any amount paid out in the conduct of the office.

(d) The words "Department", "Boards", or "Institution", shall mean and include every activity of the State of Alabama and the several counties thereof, where public money is appropriated for its maintenance.

(e) The word "Commission" shall mean the State Tax Commission of Alabama.

(f) The word "Year" shall mean the fiscal year of the State of Alabama.

SECTION 2. For the purpose of raising additional revenue to defray the expenses of the State Government, there is hereby levied, for the use of the State only, upon all officers holding any office of profit under the State of Alabama and the several counties thereof, and upon all employees of the State and the several counties thereof, including the executive officers and employees of all departments, boards, and institutions where their salaries are paid out of appropriations made by the State, or the several counties thereof, for the fiscal years beginning October 1, 1932, October 1, 1933, and October 1, 1934, an annual occupation privilege or license tax, in amount equal to the following schedule of rates in excess of \$1200.00 or salaries received by such officers for the preceeding year, viz:

The first \$1200.00 of salary received shall be exempt.

The next \$800.00, or fraction thereof, of such salary shall be at the rate of 5%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 10%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 15%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 20%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 25%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 30%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 35%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 40%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 45%.

All over \$10,000.00 of such salary shall be at the rate of 50%.

To illustrate the above scale of salaries and the percentage of rate to be computed; if a person receives \$5000.00 salary, the tax would be computed as follows:

On the excess above \$1200.00, up to \$2000.00, at 5% equals \$40.00.

On the next \$1000.00 at 10% equals \$100.00.

On the next \$1000.00 at 15% equals \$150.00.

On the next \$1000.00 at 20% equals \$200.00.

This makes a total tax on the \$5000.00 salary of \$490.00. Officers and employees receiving salaries of less, or greater amount to be taxed on the same basis as shown in above illustration.

The tax imposed by this Act shall be paid upon the net compensation received by officers and employees enumerated in this Section. The net compensation shall be determined by deducting from the total amount of salary and/or fees received, the amount paid by such officer or employee for necessary expenses incident to his office and salaries of assistants or clerks, where the expenses incident to his office and the salaries of assistants or clerks are paid by the officer or employee, and not by the State or county.

SECTION 3. It shall be the duty of every person liable for taxes levied under this Act to file with the State Tax Commission during the months of October, 1932, and during the month of October in each subsequent year a statement under oath, on forms to be furnished by the Commission, showing in detail the amount of salary received by him during the preceeding year, the source from which it was received together with a detail statement of any amount paid out by him during the preceding year in the conduct of his office, showing for what purpose and to whom paid. Upon receipt of such statement, the Commission, if it finds same correct shall compute the tax due under this Act and notify the person filing such statement.

SECTION 4. If any person taxable under this Act fails or refuses to file the statement herein required or if the Commission is not satisfied with the correctness of any statement filed, he shall forthwith from the best information obtainable fix the basis for the ascertainment of the taxes due under this Act. The commission shall have the same power and authority in the performance of its duty required under this Act as it has under the law for ascertaining the amount of other occupation privilege or license taxes due under the general laws of the State. Any person who knowingly makes a false statement herein required under oath shall be guilty of perjury.

SECTION 5. The tax herein levied shall be due and payable in monthly installments beginning November 1st of each year. It shall be the duty of all disbursing officers of the State and the several counties to collect out of any monies due any person liable for tax under this Act, the amount of the tax due by such person and remit same to the Commission showing the amount collected and from whom received.

SECTION 6. Any person failing or refusing to pay tax levied hereunder shall not be entitled to the payment of any warrant drawn in his favor by the State Auditor or by the Governing authorities of the several counties until all other warrants outstanding against the fund upon which his warrant is drawn has been paid.

SECTION 7. Any person liable for taxes under this Act who files with the Commission during the month of October, 1932, an instrument in writing making a voluntary reduction in his salary for the period covered by this Act and executing a legal waiver covering such reduction, the Commission shall allow him credit for the amount of the voluntary reduction on the tax herein levied.

SECTION 8. Any person failing or refusing to make and file the statements herein required or who fails or refuses to pay the tax herein levied shall be ineligible and disqualified to hold any office of profit under this State or any county thereof or to hold any position or employment under this State or any county thereof during the next four years beginning the first Monday after the second Tuesday in the year 1935.

SECTION 9. The license inspectors of the several counties of the State, when required to do so by the State Tax Commission, shall enforce the collection of all delinquent occupation privilege or license taxes levied under the foregoing Sections of this Act, and shall have all the power and authority in enforcing the provision of said Act as is conferred upon them in the enforcement of the collection of other delinquent license taxes due the State, and shall receive the same fees and emoluments therefor, to be added to the Tax collected.

SECTION 10. All remittances of taxes imposed by this Act shall be made to the State Tax Commission by bank draft, certified check, or money order made payable to the State Treasurer, and shall be set apart as a trust fund for educational purposes only, to be designated as the "Special Educational Trust Fund" created and set apart for educational purposes, by Section 2 of the General Revenue Bill of 1927, approved July 22, 1927, and shall be kept separate and apart from all other funds in the State Treasury and shall be paid out by the Treasurer on lawful appropriations heretofore or hereafter made specifically from such funds by the Legislature of Alabama for educational purposes.

Any State treasurer who pays out any funds derived from special school taxes or taxes levied under this Act except upon warrants legally drawn against said fund for educational purposes shall be guilty of a misdemeanor.

SECTION 11. If any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the section, clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 12. All laws and parts of law in conflict with the provisions of this Act are hereby repealed.

SECTION 13. That this Act shall take effect and be in force from and after the 30th day of September, 1932, but being an emergency revenue measure shall expire and stand repealed on the 30th day of September, 1935.

Mr. Hildreth offered the following amendment to said substitute:

Amend Teasley substitute for House Bill No. 449 as follows:

1. By adding to Section 2 the following: Provided however that Circuit Judges and Circuit Solicitors, in circuits of more than one County shall each be entitled to deduct from the above tax the sum of One Hundred Dollars for each County in the circuit in excess of one, the said deductions to be allowances to said Judges and Circuit Solicitors for expenses in attending and holding Court outside of the home County of said Judges and Solicitors.

On motion of Mr. Lapsley, said amendment was laid upon the table.

Yeas, 19; nays, 12.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Craft
Darden

Delony
Faulk
Fletcher
Garrett
Goodwin

Hubbard
Jordan
Lapsley
Mullins
Powell

Teasley
Walker
Warren
Wikle

—19

Nays:

Messrs.:

Bonner
Caffey
Cooper

Cowart
Duncan
Farmer

Hildreth
Kelley
McDowell

Millsap
Scruggs
Shepherd

—12

Mr. Duncan offered the following amendment to said substitute to-wit:

Amend Teasley Substitute for House Bill No. 449 by adding the following words at the end thereof.

Provided however that in all cases where there has been, since January 1st, 1931, a voluntary or involuntary reduction in the salary or compensation of any officer or Employee affected by the provisions of this Act, the percentage of such reduction or reduction shall be deducted from the percentage of reduction provided for by this act.

On motion of Mr. Teasley, said amendment was laid on the table.

Yeas, 16; nays, 13.

Yeas:

Messrs.:

Bartlett
Beasley
Caffey
Cooper

Cowart
Delony
Hubbard
Jordan

Kelley
Lapsley
Millsap
Mullins

Powell
Teasley
Walker
Wikle

—16

Nays:

Messrs.:

Bonner
Craft
Darden
Duncan

Faulk
Fletcher
Garrett

Goodwin
Hildreth
McDowell

Scruggs
Shepherd
Warren

—13

Mr. Warren offered the following amendment to said substitute to-wit:

Amend Teasley Substitute for H. B. 449 by striking out of section No. 2 thereof the words "and institutions" where the same appear together in said section.

On motion of Mr. Teasley, said amendment was laid on the table.

Pending the further consideration of the Teasley substitute:

RECESS

At 1 P. M. on motion of Mr. McDowell, the Senate took a recess until three o'clock this afternoon.

TWENTY-FOURTH DAY—AFTERNOON SESSION

October 18th, 1932.

The Senate re-assembled at 3 o'clock P. M., Lieutenant-Governor Merrill presiding.

ROLL CALL

Present:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth	Mullins	

—35

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mullins:

S. 257. To repeal Sections 4615 to Section 4800, both inclusive, of the Code of Alabama of 1923, and to provide that the sale of any beverage made legal by the Congress of the United States shall be legal in the State of Alabama.

Committee on Temperance.

By Mr. Craft:

S. 258. To fix and impose upon dealers engaged in selling malt or non-intoxicating malt extract in all counties having a population of less than 100,000 nor more than 350,000 inhabitants, according to the last or any subsequent Federal Census, a license tax of thirty per cent of the sales price thereof, and to require all such dealers to file monthly sworn reports of the amount of their sales with the Board of Revenue and Road Commissioners or other governing body of such counties; to prohibit the engaging in business in such counties by such dealers without the payment of such license; to fix and prescribe fines and penalties for doing business as such dealers without the payment of such license or for failure to make and file such reports; to provide for the collection of such license taxes, and to designate to what purpose the net proceeds of all such license taxes shall be devoted.

Committee on Finance and Taxation.

By Mr. Farmer (by request):

S. 259. To amend Schedule 51 of the Revenue Act of 1919.

Committee on Finance and Taxation.

By Mr. Farmer (by request):

S. 260. To amend Section 3320 of the Code of Alabama of 1923.

Committee on Finance and Taxation.

By Mr. McDaniel:

S. 261. To amend Section 21 of an Act entitled an Act "To Provide for the establishment of a base of operations and training for the air service of the Alabama National Guard, including the provision of land for such base and the improvement of such land with buildings, structures and otherwise, and including also the equipping of such buildings and structures; to create a Commission for the accomplishment of the aforestated purpose; to define and prescribe the duties, powers, privileges, immunities and responsibilities of such Commission; and to make an appropriation for the effectuation of the purposes of this Act, approved, July 2, 1931.

Committee on Military.

By Mr. Brown:

S. 262. To further provide for the duties and compensation of tax assessors and of tax collectors in the assessment and collection of state and county taxes in any county of this State, the boundary lines of which have been altered or rearranged, or which may hereafter be altered or rearranged.

Committee on Local Legislation.

By Mr. Powell:

S. 263. To amend an act entitled, "An act to authorize and create an additional Judge of the Fifth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, and to provide for the salary of said Judge, as approved September 26th, 1923, General Acts of Alabama pages 387-388.

Committee on Revision of Laws.

By Mr. McDowell:

S. 264. To amend the title of an Act approved July 27, 1931, and entitled "An Act to impose for the use and purpose of supervising, preserving, maintaining, constructing and regulating the use of public roads and bridges in the State of Alabama, and to maintain and supervise State Convicts while working upon such roads and bridges, an excise tax on all persons, companies, agencies, corporations and associations who sell, distribute, store or draw from storage for any purpose whatsoever, gasoline or any other liquid motor fuels or devices, or any substitutes therefor within the State of Alabama; providing for the collection of such excise tax, and the payment of same into the State Treasury to the credit of the State Highway Department for the public road and bridge funds; providing for the enforcement of this Act and fixing a pen-

alty for the violation of the provisions hereof; providing that the said excise tax so imposed shall be in addition to all other excise tax now imposed by law; and providing that freight agents of railroads, and all agents of all transportation companies operating within the State of Alabama, and who transport motor fuels, shall report to the State Tax Commission all shipments of gasoline, or any substitutes therefor, received at any of their stations within the State".

Committee on Judiciary.

REPORT OF COMMITTEE

Mr. Darden, Chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bains (with notice and proof):

H. 531. To relieve all persons of any legal obligations to work public roads or streets in Blount County, Alabama.

By Mr. Holland (with notice and proof):

H. 549. To validate the action of W. R. Jackson, Probate Judge of Lawrence County, Alabama, acting as Chairman of the Court of County Revenues or other like governing body for said County, in issuing warrants on the County Treasurer for the purpose of paying office rent, stationery and office fixtures for the Deputy and County Solicitors for said County since January 15, 1923.

By Mr. Craft:

S. 241. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 100,000 and not more than 175,000; defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the Judge and officers of the courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the courts and prescribing its duties, and providing for appeals from any order and judgment of said courts; making it an offense for any person knowingly or willfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen

years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment thereof; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association, or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other courts in the Civil Service of the State or municipality on account of any judgment or order of said court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

By Mr. Craft (with notice and proof):

S. 240. To create and establish in Mobile County, Alabama, a Court to be known as and called the "Inferior Criminal Court of Prichard," with the jurisdiction stated in this Act, in criminal cases over and throughout the entire county of Mobile outside the corporate limits of the City of Mobile; to provide for its jurisdiction; to provide for its officers, their terms of office, the manner and times of their selection, appointment and election, their jurisdiction, qualifications, powers, duties and compensations and to provide for the payment of such compensations out of the Mobile County treasury and require the county treasurer to pay the same; to provide for their oaths and bonds, to provide for the summoning of witnesses before said court and to fix their fees; to fix the fees and costs in said court and to provide for the payment over of same, and to provide for the terms; places of holding court, trials, forms, dockets, rules of procedure and operation of said court; to require the revenue and road commissioners of Mobile County or like governing body in said county to furnish for said court a building or room in the town of Prichard with suitable furniture, fuel, books, stationery and seal; to provide for the service of process from said court by the sheriff of Mobile County and to fix his compensation therefor, and to provide for appeals from judgments of said court; to repeal all laws and parts of laws contrary to the provisions of this Act and to provide that this act shall take effect immediately upon its passage and approval by the Governor; to provide that if any section, clause or provision of this Act shall be declared invalid or unconstitutional it shall not effect any other

section, clause or provision but the same shall remain in full force and effect.

By Mr. McClendon (by request) (with notice and proof):

H. 416. To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties.

RESOLUTION

Mr. Brown offered the following Joint Resolution:

S. J. R. 78. BE IT RESOLVED BY THE SENATE, the House concurring that, whereas Athletic Relations between the University of Alabama and the Alabama Polytechnic Institute both of which are State Institutions have not been carried on for a period for almost the memory of man and that whereas a large majority of the citizens of the State desire that the two said institutions resume their Athletic Relations.

NOW THEREFORE, BE IT RESOLVED BY THE SENATE, the House concurring that a joint committee of eight (8) to be composed of three (3) members of the Senate, to be appointed by the President of the Senate, and five (5) members of the House to be appointed by the Speaker of the House be instructed to confer with the heads of the University of Alabama and the Alabama Polytechnic Institute for the purpose of resuming athletic relations between these institutions.

BE IT FURTHER RESOLVED, that this joint committee make a report to the Legislature before final adjournment of the present Session.

BE IT FURTHER RESOLVED, that if Athletic Relations are to be resumed that they be resumed in time for these two institutions to play football during the present season.

Which was read and referred to the Standing Committee on Rules.

The Rules Committee reported the following Joint Resolution:

S. J. R. 79. Resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to reconvene on Friday, October 21st at 10 A. M.

And on motion of Mr. Powell, said report was concurred in and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendment to the bill:

H. 481. In reference to and to further provide for the general revenue of the State of Alabama.

And requests Committee of Conference on the disagreement of the two Houses, and the Speaker has named as committee on part of the House, Messrs. Goodwyn, McGowin and Poole.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Powell, the Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to H. 481, the title of which is set out in the foregoing message from the House, and the President of the Senate appointed as conferees on part of the Senate Messrs. Powell, Beasley and Bonner.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:
By Mr. Taylor:

H. 429. To amend Sections 17, 18, 52, 55, 56, and 60 of the Municipal Bond Code, being an Act of the Legislature of Alabama, approved September 10, 1927, entitled "An Act to provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act," as heretofore amended.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate Standing Committee as follows:

H. 429, to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:
By Mr. Shepherd:

H. 124. To provide for the levying of a tax on natural gas sold and distributed for use or consumption in the State of Alabama and

to provide for and prescribe methods of collecting said tax and penalties for the failure to comply with the provisions of this Act.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House message was read once and referred to appropriate Standing Committee as follows:

H. 124, to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 125. To encourage the building of bridges, causeways and other development work and relief work upon and abutting on tide lands, the title to or control of which may now or hereafter be vested in the State of Alabama, which shall not have been improved by or under valid public authority and shall not be otherwise devoted to public use, by authorizing the improvement and use thereof and of the abutting submerged lands so improved, and the vesting of title thereto in owners of the abutting riparian land, under and subject to the conditions and approval stated in the Act."

Also:

S. 130. To relieve all persons of any legal obligation to work on the public streets in the City of Athens, Limestone County, State of Alabama, or to pay any money in lieu of such legal obligation to work on the public streets in Athens, Limestone County, Alabama.

Also:

S. 205. To amend the title and body of an Act approved May 27th, 1931, and entitled "An Act to abolish the office of Coroner in all Counties in this State having a population of three hundred thousand (300,000) or more, according to the last or any subsequent Federal census and to require the County Commission in all such Counties to perform the duties now or which may hereafter be by law required of Coroners in this State; and to invest such County Commissions with all the rights and powers of such Coroners."

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 1. To further regulate, provide for and require bonds of County officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds where the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 12. To provide for the levy, assessment, payment and collection of an excise tax for the privilege of engaging in the State of Alabama in the business of banking and of conducting a financial business employing moneyed capital coming into competition with the business of National Banks, to provide for the making of returns for assessment of said tax, to prescribe the rate of such tax and the privileges and exemptions secured by its payment, to provide for the distribution of the proceeds of such tax to the State and to the several counties and municipalities of the State, penalties for failure to make such returns and for failure to pay said tax, and to exempt moneyed capital so employed and shares of corporations and associations which return and pay said excise tax from ad valorem taxation.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Kettler:

H. 260. To amend Section 8277 of the Code of Alabama of 1923.

Also:

By Mr. Sanderson:

H. 282. To amend an act entitled an "Act relating to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney buses, trailers used on the public highway of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama."

Also:

By Mr. Fite:

H. 328. Pertaining to the apportionment of the Equalization Fund provided by the Legislature for the equalization of educational opportunities in the public schools of the state.

Also:

By Mr. Smith of Coosa (with notice and proof):

H. 534. To allow the Sheriff of Coosa County, Alabama, a Deputy Sheriff, to fix the salary of said Deputy Sheriff, and make the same payable out of the General Funds of said County of Coosa, in monthly installments; said Deputy Sheriff to be located at the Court House of Said County of Coosa, making him eligible to perform the duties of Deputy Sheriff anywhere in said County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A LOCAL BILL

To Whom It May Concern:

Notice is hereby given that a local bill for Coosa County, Alabama, will be introduced at the Special or Extraordinary Session of the Alabama Legislature, the substance of which local bill will be as follows:

A BILL TO BE ENTITLED AN ACT

To allow the Sheriff of Coosa County, Alabama, A Deputy Sheriff, To fix the Salary of Said Deputy Sheriff, and make the same payable out of the General Funds of said County, in monthly installment—Said Deputy Sheriff to be located at the Court House of said County, making him eligible to perform the duties of Deputy Sheriff anywhere in said County. Also requiring said Sheriff to keep said Deputy Sheriff or someone in his place at the office of the Sheriff of said County at least one-half of each day for the purpose of approving bonds of persons confined in the County Jail.

FELIX L. SMITH,
Representative, Coosa County, Alabama.

State of Alabama, }
Coosa County. }

Before me, the undersigned notary public for said county in said state, personally appeared Maggie Thomas, who being duly sworn states that she is the Office Manager of the Rockford Chronicle, a newspaper published at Rockford in Coosa County, in said state and that the attached notice was published in said newspaper for four consecutive weeks, issues dated August 18th, August 25th, September 1st, and September 8th, 1932.

MAGGIE THOMAS,
Office Manager.

Sworn and subscribed to before me this the 24th day of September, 1932.

HENRY A. TEEL,
Notary Public.

(Seal)

Also:

By Mr. Smith of Coosa (with notice and proof):

H. 535. To abolish the offices of tax assessor and tax collector for Coosa County, Alabama, and to create and establish in lieu

thereof, the office of tax assessor-collector for Coosa County, Alabama; to provide when said offices of tax assessor and tax collector shall be abolished, and when said office of tax assessor-collector shall be established and become effective; to provide when said tax assessor-collector shall be elected and to prescribe his term of office, authority, powers and duties; to provide for the appointment of a deputy, for his authority and duties, to assist said tax assessor-collector and for their compensation; to provide that said tax assessor-collector shall be paid a salary in lieu of all other compensation for performing the duties of said office, the amount thereof and the manner in which the same shall be paid; to provide that said deputy shall be paid a salary for performing the duties of his office, the amount thereof and the manner in which the same shall be paid; to designate and set aside all fees, percentage, commissions and other allowances and compensations which are now or may hereafter be provided for by law and collected thereunder and paid as fees, percentages, commissions and other allowances or compensations to the tax assessor and/or to the tax collector of Coosa County, Alabama, or which may hereafter be provided for by law and collected for such purpose or purposes, as a special fund to be collected by said tax assessor-collector and paid by him into the treasury of Coosa County, Alabama; to provide that out of such special fund the salary of such tax assessor-collector, the salary of said deputy be paid; to provide for the manner and to what purpose any excess of said special fund, over and above such salaries and compensations, may be expended; and to provide for the repeal of all laws, local, special and general, in conflict herewith.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A LOCAL BILL

To Whom it May Concern:

Notice is hereby given that a local bill for Coosa County, Alabama, will be introduced at the Special Session of the Legislature of Alabama, commencing August 16th, 1932, the substance of which bill will be as follows:

1. To abolish the offices of Tax Collector and Tax Assessor of Coosa County, Alabama, and to create and establish in lieu thereof the office of Tax Assessor-Collector for Coosa County, Alabama.

2. To provide for the nomination, election of Tax Assessor-Collector, to define his duties and powers, prescribe his qualifications and fix his salary or compensation and the payment thereof; to require the Tax Assessor-Collector to execute proper and necessary bond for the faithful discharge of his duties as now provided by law for tax collectors and tax assessors are required to execute, and to require said Tax Assessor-Collector to collect all commissions and fees now required by law for tax collector and tax assessors and to pay the same into the general funds of Coosa County.

Felix L. Smith,
Rep. Coosa County.

State of Alabama, }
Tallapoosa County. }

Before me, C. S. Melton, a notary public in said state and county, personally appeared Thos. S. Bugg, publisher of the Goodwater Enterprise, a weekly newspaper with a general circulation in Coosa County, Alabama, who deposes and says upon oath that the attached notice of a local bill was published for four consecutive weeks in said paper, to-wit: On August 25, 1932; Sept. 1, 1932; Sept. 8, 1932; Sept. 15, 1932.

THOS. S. BUGG,
Publisher.

Sworn to and subscribed before me, this the 21st day of September, 1932.

C. S. MELTON,
Notary Public.

(Seal)

Also:

By Mr. Tate:

H. 591. To provide that all counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census that the work of the probation of convicts shall be declared a county purpose, that the Board of Revenue, County Commission or other governing or like governing bodies of such counties shall be authorized to expend County funds for such purpose and to further provide that such governing bodies in all such counties shall have the power to appoint probation officers and to fix their compensation and to pay the same out of County funds.

Also:

By Mr. Bradford of Jefferson:

H. 592. To amend Sections 11 and 15 of an act entitled "An Act to create the Office of Commissioner of Licenses in all Counties in this State having a Population of 300,000 or more according to the last or any subsequent Federal Census, to prescribe the duties thereof, define the powers, fix the term of office, the method of election of such Commission and to provide for the compensation of said officer; to provide for the necessary Clerical Assistants in said office and to further provide that each commissioner of licenses shall assess for taxation and collect the ad valorem taxes and issue the licenses and distribute the tags on all motor vehicles in such counties and to transfer the duties from the tax assessor, tax collector and probate judge in such counties to the commissioner of licenses of all matters relative to the registration, assessment for taxes, collection of ad valorem taxes and issuance of licenses, and distribution of tags for motor vehicles," approved July 16, 1931.

Also:

By Mr. Sossaman (with notice and proof):

H. 603. "To establish a Budget Commission and to provide for the preparation of a budget for Mobile County; to provide that the appropriations by the Board of Revenue and Road Commissioners of Mobile County shall not exceed the income of Mobile County;

to classify appropriations; to prohibit any official of any institution maintained in whole or in part by Mobile County, or any department or agency of Mobile County, having charge of the disbursements and expenses of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the present session of the Legislature of Alabama for the passage of the following bill:

A BILL TO BE ENTITLED

An act to be entitled "An Act to establish a Budget Commission and to provide for the preparation of a budget for Mobile County; to provide that the appropriations by the Board of Revenue and Road Commissioners of Mobile County shall not exceed the income of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by Mobile County, or any department or agency of Mobile County, having charge of the disbursements and expenses of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith."

Be it enacted by the Legislature of the State of Alabama:

Section 1. That there shall be established a Budget Commission for the purpose of promoting economy and efficiency in the finances of Mobile County. The Budget Commission shall be composed of the members of the Board of Revenue and Road Commissioners of Mobile County, Alabama, all of whom shall receive compensation as now provided by law for such services.

Section 2. It shall be the duty of the Budget Commission to prepare and adopt a budget of the entire expenses and income of Mobile County, and that it shall have authority to demand information or records, or both, from any agency, department or institution of said county. All requests or claims for appropriations for any agency, institution or department of the county shall be made to the Budget Commission and shall be noted in the budget submitted to the commission whether the requests or claims are allowed or not. And the budget so prepared shall be submitted in an open meeting for final adoption for each year on the first meeting in October of each year. This budget shall show the entire expenses for operating the county for the ensuing year, give the amounts proposed to each agency, department and institution in the county and shall also show the proposed revenue by means of which the appropriations ought to be met, and giving the amount from every source of revenue separately. The appropriations and the estimated revenues must balance each other and the estimated revenue shall not be in excess of the revenue for the past year except revenue to be received from new and additional taxes or other sources.

Section 3. The fiscal year of the County Government shall commence on the first day of October and end on the thirtieth day of September, and all agencies, institutions and departments of the county shall use such fiscal year and equal quarterly divisions thereof for the purpose of uniform accounting and reporting.

Section 4. Each agency, institution and department of the county shall file with the Board of Revenue and Road Commissioners not later than the 15th day of the following month after each quarter a quarterly report, which

report shall show all receipts from every source and all expenditures, itemized and classified in accordance with the budget classifications.

Section 5. The Budget Commission is authorized to make such rules and regulations as may be necessary to carry into force and effect the purposes and provisions of this act. A majority of the commission shall constitute a quorum.

Section 6. It shall be the duty of the Budget Commission to make appropriations in the following manner; first, for the payment of charges required by legislative act including all preferred claims; second, for the payment of all interest, carrying charges and sinking fund for the retirement of existing indebtedness, including a sinking fund to retire any deficit not funded which fund shall receive from the income of the county a sum sufficient to retire and pay any deficit over a term of not more than thirty (30) years; and third, for the operation, maintenance and support of other departments, institutions, agencies and charges. If the commission shall determine at any time that the total income of the county be insufficient to make all appropriations payable in full in the amounts named in such appropriations, it shall be the duty of the Commission and they are authorized to restrict appropriations beginning with those placed in the third classification which shall be reduced proportionately until such appropriations are completely extinguished, thereafter the appropriation in classification two shall be reduced proportionately and so on in this order until in the opinion of the Budget Commission appropriations shall equal the estimated income, provided, however, that in event there are sufficient funds at the end of a fiscal year to pay all appropriations in the amounts named then all appropriations shall be paid in full.

Section 7. It shall be unlawful for any employee or any official of any institution, agency or department maintained in whole or in part by Mobile County having charge of disbursements or expenditures or funds during any fiscal year, to expend, contract for the expenditure, or permit the incurring of any liability in excess of the income and/or unexpended balance to the credit of such institution, agency or department for such fiscal year. It shall be and is hereby made the duty of the Budget Commission and any or all officials or employees of every institution, agency or department of Mobile County to keep the expenditures and obligations within the amount of said income.

Section 8. Any member of the Board of Revenue and Road Commissioners or any employee or official of any institution, agency or department maintained in whole or in part by Mobile County violating the provisions of Section 7 of this Act, or who shall fail or refuse to comply with other provisions of this act shall be guilty of misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50.00 nor more than \$500.00 or imprisonment in the County Jail for not less than 30 days nor more than six months, or by both such fine and imprisonment, and in addition thereto shall be personally liable and liable on his bond for the amount of the excess thus unlawfully expended, which unlawful expenditure may be considered grounds for impeachment and/or removal from office of such employment.

Section 9. This Act shall take effect immediately on its passage.

Section 10. All laws or parts of laws in conflict herewith are expressly repealed.

GEORGE A. SOSSAMAN.

State of Alabama, }
Mobile County. }

Personally appeared before me the undersigned Notary Public, in and for said state and county C. M. Smith, who upon oath deposes and says that he is an officer of the Mobile Press and duly authorized by it to make this oath; that the Mobile Press is a newspaper of general circulation in Mobile

County, and that the attached advertisement appeared in its issues of September 15, 22, 29 and October 6th, 1932.

C. M. SMITH.

Subscribed and sworn to before me this 6th day of October, 1932.

GEORGE A. SOSSAMAN,

Notary Public, Mobile County, Alabama.

Also:

By Mr. Taylor (with notice and proof):

H. 604. To authorize and empower, but not to require, the Board of School Commissioners of Mobile County, in their sole discretion, to furnish free text books to pupils in the public schools of Mobile County, in all the school grades or in any one or more grades or in any one or more subjects; to use public school funds to that end; and to devise and put in force plans, rules and regulations to secure proper distribution, safekeeping and return of the books; providing that the title to, and control of, such free text books shall remain in the said Board and that the books must be returned to the Board at the conclusion of the period of their use; and providing that nothing in the Act contained shall be construed to require any parent, guardian or custodian, of any child in a school grade to which free text books may be furnished hereunder, to have the child take or use such free textbooks, if such parent or other custodian should prefer to purchase or otherwise procure the required texts, in which case the books would remain the property of him or his successor in interest.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Notice is hereby given that at the Special Session of the Alabama Legislature, now in progress, a Bill will be introduced, the substance of which is set out below:

To authorize and empower, but not to require, the Board of School Commissioners of Mobile County, in their sole discretion, if and when they deem such action wise and expedient and the condition of the finances of the Board of School Commissioners such as to justify the necessary expenditure, to furnish free text books to pupils in the Public Schools of Mobile County, in all the school grades or in any one or more grades or in any one or more subjects; to use to that end, public school funds not otherwise appropriated; to devise and put in force plans, rules and regulations to secure the proper distribution, care, safe-keeping and return of such free text books; and providing for and regulating the care of such free text books by the children and their parents or other custodians, and the methods of protection to the Board in case of unreasonable abuse of the books; and providing that the title and control of such free text books shall remain in the Board of School Commissioners of Mobile County, and that the books must be returned to the Board at the conclusion of the period of their use; and providing that no pupil should be compelled to use the free text books, but any parent or guardian who desires may buy or otherwise procure, and have used by his or her child or children, the text books required in the grades or studies pursued by such child or children, and the books so purchased will remain the property of the purchaser or his successor in interest.

J. G. McDonnell being sworn, says that he is clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached appeared in the issues of Sept. 10-17-24, Oct. 1, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 4th day of Oct. 1932.

CARL M. SMITH,
Notary Public.

(Seal)

Also:

By Mr. Smith of Lee, Mr. Wallace:

H. 607. To provide, authorize and direct that all qualified electors who may reside in any territory which has been or may be detached from one County and added to another County of the State, to have their names added to the list of the qualified electors of the County to which they have been added, and direct the method thereof and provide compensation for the same to the Judges of Probate of the several Counties of the State.

Also:

By Mr. Culver (with notice and proof):

H. 609. To prohibit the use of steel traps and similar devices in Etowah County, Alabama and prescribe punishment for the violation of this act.

With notice and proof thereto attached and herewith exhibited as follows:

The State of Alabama }
Etowah County }

Circuit Court—In Equity

Personally appeared before me, Walter M. Thompson, Register of said Court, L. R. Pinkerton, publisher of The Etowah Observer, a newspaper published in Etowah County, Alabama, who makes oath and says that the notice hereto attached, marked as Exhibit A., was published in the said The Etowah Observer once a week for 4 consecutive weeks, commencing on the 15th day of Sept., and ending on the 6th day of October, 1932.

L. R. PINKERTON,

Publisher.

Subscribed to and sworn before me on this the 10th day of Oct., 1932.

WALTER M. THOMPSON,
Register.

(Seal)

EXHIBIT A.

AN ACT

To prohibit the use of steel traps and similar devices in Etowah County, Alabama and prescribe punishment for the violation of this act.

Be it Enacted by the Legislature of Alabama:

Section 1. That it shall be unlawful for any person, firm or corporation to use any steel trap or other similar device in Etowah County, Alabama, for the purpose whatsoever, except as herein expressly provided.

Section 2. That any person violating the provisions of this act shall be guilty of a misdemeanor, and the conviction shall be punished by a fine of not

less than twenty-five dollars nor more than one hundred dollars for each offense.

Section 3. Provided, however, that any resident of this county may set such steel trap or similar device only with the curtilage of his home.

Section 4. This act shall become effective on the approval of the Governor.

Also:

By Mr. Smith of Lee, Mr. Wallace and Mr. Clayton:

H. 619. To provide and authorize the State Superintendent of Education of Alabama, and the County Boards of Education of Alabama, to make apportionments of school funds, irrespective of the changes in boundary lines of adjoining counties in the State, provided said apportionments are made upon school census and enumerations which have been made and certified to, as provided by Law, prior to the rearrangement of boundary lines between adjoining counties.

Also:

By Mr. Smith of Lee, Mr. Wallace and Mr. Clayton:

H. 620. To provide that County Commissioners, Boards of Revenue or other like governing bodies of the counties of the State of Alabama, shall have the right and authority to alter and rearrange precinct or beat lines so as to include territory which has been detached from one County and added to an adjoining County of the State, or to create separate beats or preincts and voting districts in said territory which has been or may be added to a County and detached from an adjoining County.

Also:

By Mr. Mize (with notice and proof):

H. 628. To authorize and empower the County Board of Education of Tuscaloosa County, Alabama, to expend county school funds in aiding the Board of Revenue of Tuscaloosa County in the repair, equipment, maintenance, and improvement of the building in which the offices of the said Board of Education are or may be in the future located and to authorize the said Board of Education also to assist in the purchase of supplies and other necessities for the operation of the headquarters of the Board of Education.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local bill substantially as follows will be introduced during the present special session of the Legislature of Alabama:

A bill to be entitled An Act to authorize and empower the County Board of Education of Tuscaloosa County, Alabama, to expend county school funds in aiding the Board of Revenue of Tuscaloosa County in the repair, equipment, maintenance, and improvement of the building in which the offices of the said Board of Education are or may be in the future located and to authorize the said Board of Education also to assist in the purchase of supplies and other necessities for the operation of the headquarters of the Board of Education.

Be it Enacted by the Legislature of Alabama:

Section 1. That the County Board of Education of Tuscaloosa County, Alabama, is hereby authorized and empowered to make appropriations at the discretion of said Board from the County School funds, which appropriations shall be in the nature of an addition to funds appropriated according to law by the Board of Revenue or similar governing body of Tuscaloosa County for the maintenance, repair, equipment or improvement of the building in which the offices of the said Board of Education are now located or may at some future time be located; and that the said Board of Education is further authorized at its discretion to assist in the furnishing of supplies, furniture, office equipment and other necessary expenses for the operation of the headquarters of said Board of Education.

Section 2. That all laws or parts of laws in conflict with the provisions of this act, insofar as Tuscaloosa County, Alabama, is concerned, are hereby repealed.

Section 3. That this act shall go into effect immediately upon its passage.

I hereby certify that the attached notice was published in the Tuscaloosa News, a newspaper published in Tuscaloosa County, once each week for four consecutive weeks; viz, Sept. 12, 19, 26, Oct. 3, 1932.

BRUCE SHELTON,

Publisher.

Subscribed and sworn to before me on this the 3rd day of October, 1932.

KATIE LEE SIMMONS,

Notary Public.

And sends same herewith to the Senate.

J. H. Stewart,

Clerk.

HOUSE MESSAGE

The House bills in the foregoing House message were severally read once and referred to appropriate Standing Committees as follows:

H. B's. 260, 591, and 592 to the Committee on Banking and Insurance.

H. B's. 282, and 328 to the Committee on Finance and Taxation.

H. B's. 534, 535, 603, 604, 607, 609, 619, 620 and 628 to the Committee on Local Legislation.

UNFINISHED BUSINESS

The Senate proceeded to consider the unfinished business of the morning session, which was the bill:

H. 449. To require and levy an occupation, license or privilege tax on every person who is an official of the State of Alabama, or who is employed by the State of Alabama, or by any department, agency, commission, board or institution of the State of Alabama, or who is an official of any county of the State of Alabama or an employee of any county, or of any agency, board, or commission of said county, or who is an official or employee of any municipality or of any department, agency, commission, or board of any municipality, and whose compensation, either from salary or fees, exceeds

the sum of \$1,200.00 per annum; to provide that the warrant, check or voucher for the payment of the salary of such official or employee shall be for the amount of the salary or compensation less the said tax and that where the compensation is by fees instead of salary the official or employee receiving such fees shall report the same and shall pay into the Treasury of the State, County or Municipality, the amount of the said tax, and to provide for the time of payment of such tax.

And the following substitute therefor offered by Mr. Teasley:
Senate substitute for H. 449:

A BILL

To be entitled an Act to require and levy an occupation, license or privilege tax on every person who is an official of the State of Alabama, or who is employed by the State of Alabama, or by any department, agency, commission, board or institution of the State of Alabama, or who is an official of any county of the State of Alabama or an employee of any county or of any agency, board, or commission of said county, and whose compensation, either from salary or fees, exceeds the sum of \$1200.00 per annum; to provide that the warrant, check or voucher for the payment of the salary of such official or employee shall be for the amount of the salary or compensation less the said tax and that where the compensation is by fees instead of salary, the official or employee receiving such fees shall report the same and shall pay into the treasury of the State the amount of the said tax, and to provide for the time of payment of such tax.

Be it enacted by the Legislature of Alabama:

SECTION 1. DEFINITIONS.

(a) When used in this Act the word "OFFICER" shall mean and include all officers where a commission issued in the name and by the authority of the State of Alabama is required before entering upon and exercising the duties of their respective offices.

(b) The word "Employee" or "Employees" shall mean and include all persons receiving a salary paid out of any appropriation made by the State of Alabama or any of the several counties, including appropriations made to any department, board or institution and all other persons receiving salaries from the State and the several counties not included in subdivision (a) of this Section.

(c) The word "Salary" shall mean and include any and all amounts received by any officer or employee, whether salary, fees, commissions, compensation, emoluments and ex-officio fees for services and all other amounts received under and by virtue of the office for the personal use of any officer or employee, less any amount paid out in the conduct of the office.

(d) The words "Department", "Boards", or "Institution", shall mean and include every activity of the State of Alabama and the

several counties thereof, where public money is appropriated for its maintenance.

(e) The word "Commission" shall mean the State Tax Commission of Alabama.

(f) The word "Year" shall mean the fiscal year of the State of Alabama.

SECTION 2. For the purpose of raising additional revenue to defray the expenses of the State Government, there is hereby levied, for the use of the State only, upon all officers holding any office of profit under the State of Alabama and the several counties thereof, and upon all employees of the State and the several Counties thereof, including the executive officers and employees of all departments, boards, and institutions where their salaries are paid out of appropriations made by the State, or the several counties thereof, for the fiscal years beginning October 1, 1932, October 1, 1933, and October 1, 1934, an annual occupation privilege or license tax, in amount equal to the following schedule of rates in excess of \$1200.00 of salaries received by such officers for the preceeding year, viz:

The first \$1200.00 of salary received shall be exempt.

The next \$800.00, or fraction thereof, of such salary shall be at the rate of 5%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 10%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 15%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 20%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 25%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 30%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 35%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 40%.

The next \$1000.00, or fraction thereof, of such salary shall be at the rate of 45%.

All over \$10,000.00 of such salary shall be at the rate of 50%.

To illustrate the above scale of salaries and the percentage of rate to be computed; if a person receives \$5000.00 salary, the tax would be computed as follows:

On the excess above \$1200.00, up to \$2000.00 at 5% equals \$40.00.

On the next \$1000.00 at 10% equals \$100.00.

On the next \$1000.00 at 15% equals \$150.00.

On the next \$1000.00 at 20% equals \$200.00.

This makes a total tax on the \$5000.00 salary of \$490.00. Officers and employees receiving salaries of less, or greater amount to be taxed on the same basis as shown in above illustration.

The tax imposed by this Act shall be paid upon the net compensation received by officers and employees enumerated in this Section. The next compensation shall be determined by deducting from the total amount of salary and/or fees received, the amount paid by such officer or employee for necessary expenses incident to his office and salaries of assistants or clerks, where the expenses incident to his office and the salaries of assistants or clerks are paid by the officer or employee, and not by the State or county.

SECTION 3. It shall be the duty of every person liable for taxes levied under this Act to file with the State Tax Commission during the month of October 1932, and during the month of October in each subsequent year a statement under oath, on forms to be furnished by the Commission, showing in detail the amount of salary received by him during the preceeding year, the source from which it was received together with a detail statement of any amount paid out by him during the preceding year in the conduct of his office, showing for what purpose and to whom paid, Upon receipt of such statement, the Commission, if it finds same correct shall compute the tax due under this Act and notify the person filing such statement.

SECTION 4. If any person taxable under this Act fails or refuses to file the statement herein required or if the Commission is not satisfied with the correctness of any statement filed, he shall forthwith from the best information obtainable fix the basis for the ascertainment of the taxes due under this Act. The commission shall have the same power and authority in the performance of its duty required under this Act as it has under the law for ascertaining the amount of other occupation privilege or license taxes due under the general laws of the State. Any person who knowingly makes a false statement herein required under oath shall be guilty of perjury.

SECTION 5. The tax herein levied shall be due and payable in monthly installments beginning November 1st of each year. It shall be the duty of all disbursing officers of the State and the several counties to collect out of any monies due any person liable for tax under this Act, the amount of the tax due by such person and remit same to the Commission showing the amount collected and from whom received.

SECTION 6. Any person failing or refusing to pay the tax levied hereunder shall not be entitled to the payment of any warrant drawn in his favor by the State Auditor or by the Governing authorities of the several counties until all other warrants outstand-

ing against the fund upon which his warrant is drawn has been paid.

SECTION 7. Any person liable for taxes under this Act who files with the Commission during the month of October 1932, an instrument in writing making a voluntary reduction in his salary for the period covered by this Act and executing a legal waiver covering such reduction, the Commission shall allow him credit for the amount of the voluntary reduction on the tax herein levied.

SECTION 8. Any person failing or refusing to make and file the statements herein required or who fails or refuses to pay the tax herein levied shall be ineligible and disqualified to hold any office of profit under this State or any county thereof or to hold any position or employment under this State or any county thereof during the next four years beginning the first Monday after the second Tuesday in the year 1935.

SECTION 9. The license inspectors of the several counties of the State, when required to do so by the State Tax Commission, shall enforce the collection of all delinquent occupation privilege or license taxes levied under the foregoing Sections of this Act, and shall have all the power and authority in enforcing the provisions of said Act as is conferred upon them in the enforcement of the collection of other delinquent license taxes due the State, and shall receive the same fees and emoluments therefor, to be added to the Tax collected.

SECTION 10. All remittances of taxes imposed by this Act shall be made to the State Tax Commission by bank draft, certified check, or money order made payable to the State Treasurer, and shall be set apart as a trust fund for educational purposes only, to be designated as the "Special Educational Trust Fund" created and set apart for educational purposes, by Section 2 of the General Revenue Bill of 1927, approved July 22, 1927, and shall be kept separate and apart from all other funds in the State Treasury and shall be paid out by the Treasurer on lawful appropriations heretofore or hereafter made specifically from such funds by the Legislature of Alabama for educational purposes. Any State treasurer who pays out any funds derived from special school taxes or taxes levied under this Act except upon warrants legally drawn against said fund for educational purposes shall be guilty of a misdemeanor.

SECTION 11. If any section, clause, sentence, paragraph or part of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Act, but shall be confined in its operation to the section, clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

SECTION 12. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 13. That this Act shall take effect and be in force from and after the 30th day of September 1932, but being an emergency revenue measure shall expire and stand repealed on the 30th day of September 1935.

Mr. Hildreth offered the following amendment to said substitute, to-wit:

Amend the Teasley substitute for House Bill No. 449 as follows:

1. By changing the schedule of rates specified in Section 2 of said bill so as to make the same read as follows:

The First \$1200.00 of salary received shall be exempt.

The next \$800.00 or fraction thereof, of such salary shall be at the rate of 10%.

The next \$1000.00 or fraction thereof, of such salary shall be at the rate of 15%.

The next \$500.00 or fraction thereof, of such salary shall be at the rate of 20%.

The next \$500.00 or fraction thereof, of such salary shall be at the rate of 25%.

The next \$500.00 or fraction thereof, of such salary shall be at the rate of 30%.

The next \$500.00 or fraction thereof, of such salary shall be at the rate of 35%.

The next \$500.00 or fraction thereof, of such salary shall be at the rate of 40%.

The next \$500.00 or fraction thereof, of such salary shall be at the rate of 45%.

All over \$6000.00 of such salary received shall be at the rate of 50%.

To illustrate the above scale of salaries and the percentage of rate be computed; if a person receives \$5000.00 salary, the tax would be computed as follows:

On the excess above \$1200.00, up to \$2000.00, at 10%, equals \$80.00;

On the next \$1000.00 at 15% equals \$150.00;

On the next \$500.00 at 20% equals \$100.00;

On the next \$500.00 at 25% equals \$125.00;

On the next \$500.00 at 30% equals \$150.00;

On the next \$500.00 at 35% equals \$175.00

Total tax paid on salary of \$5000.00 would be \$780.00

Which was adopted.

Mr. Bonner then moved that said substitute as thus amended be laid on the table, which motion was lost.

And said substitute, as thus amended, was then adopted.

Yeas, 22; nays, 9.

Yeas:

Messrs.:			
Bartlett	Craft	Kelley	Scruggs
Beasley	Darden	Lapsley	Shepherd
Brown	Delony	McDowell	Teasley
Caffey	Farmer	Mullins	Warren
Cooper	Hildreth	Powell	Wikle
Cowart	Jordan		

—22

Nays:

Messrs.:			
Bonner	Fletcher	Goodwin	Millsap
Duncan	Garrett	Hubbard	Walker
Faulk			

— 9

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 32; nays, 2.

Yeas:

Messrs.:			
Bartlett	Darden	Hildreth	Millsap
Beasley	Delony	Hubbard	Mullins
Bonner	Duncan	Jordan	Powell
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Wikle
Craft	Goodwin		

—30

Nays:—Messrs.: Scruggs, Warren.

— 2

REPORT OF CONFERENCE COMMITTEE

To the President and Presiding Officer of the Senate:

Your Committee of Conference heretofore appointed on the disagreement of the two Houses on the Senate Substitute for H. No. 481, beg to recommend as follows:

1. We recommend that the Senate recede from its substitute for Section Ten (10) of said H. 481, as heretofore adopted by the Senate.

2. We recommend that the Senate adopt the following Section Ten (10) as an amendment to H. 481, in lieu of Section Ten (10), as heretofore substituted and adopted by the Senate:

"Section 10. Gross Income Defined (Individual). The term "gross income" as used herein: (1) Includes gains, profit and income derived from salaries, wages, or compensation for personal services of whatever kind, or in whatever form paid, including the salaries, incomes, fees or other compensation of State, County and Municipal officers and employees, or from professions, vocations, trades, business, commerce or sales or dealings in property, whether real or personal, growing out of ownership or use of or interest in such property; also from interest, royalties, rents, dividends, securities or transaction of any business carried on for gain or profit and the income derived from any source whatever. The amount of all such items shall be included in the gross income for the taxable year in which received by the taxpayer unless under the methods of accounting permitted in this Act any such amounts are to be properly accounted for as of a different period; but (2) does not include the following items which shall be exempt from income tax under this Act; (a) Amounts received under life insurance policies and contracts paid by

reason of the death of the insured. (b) Amounts received (other than amounts paid by reason of the death of the insured) under life insurance, endowment or annuity contracts, either during the term or at maturity or upon surrender of the contract, equal to the total amount of premiums paid thereon. (c) The value of property acquired by gift, bequest, demise or descent, (but the income from such property shall be included in the gross income). (d) Interest upon obligations of the United States or its possessions; or securities issued under the provisions of the Federal Farm Loan Act, of July 17, 1916; or bonds issued by the War Finance Corporation; (e) Any amount received through accident or health insurance, or under any workmen's compensation Act as compensation for personal injuries or sickness, plus the amount of any damages received, whether by suit or agreement on account of such injuries or sickness, or through the war risk insurance act, or any law for the benefit or relief of injured or disabled members of the "military or naval forces of the United States. (f) Salaries, wages and other compensation received from the United States by officers or employees thereof, including persons in the military or naval forces of the United States. (g) Interest on obligations of the State of Alabama and any county, municipality, or other political subdivision thereof. (3) "The term "gross income" from whatever source derived within this State" shall mean and include all of such income arising from sources within the State whether paid to residents or non-residents including interest on bonds, notes or other interest-bearing obligations of residents, corporate or otherwise, and all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits in the manufacture and disposition of goods within the State of Alabama. "It shall also mean and include interest, dividends or other forms of income from and gains, or profits realized upon the sale, exchange or other disposition of all forms of intangible personal property owned by or held anywhere in or without the State of Alabama for the account of any resident or domestic corporation." And that the House concur in said amendment.

3. We recommend that the Senate recede from its substitute for sub-section Two (2) of Section 11½ of said H. 481 as heretofore adopted by the Senate and in lieu of said sub-section Two (2) adopt sub-section Two (2) as follows:

"(2). Discovery. Value in Case of Mines, Oil and Gas Wells. In the case of mines, oil and gas wells discovered by the taxpayer on or after January 1, 1932, not acquired as the result of a purchase or a proven tract or lease where the market value of the property is materially disproportionate to the cost the depletion allowance shall be based upon the fair market value of the property at the time of the discovery or within thirty days thereafter." And that the House concur in said amendment.

4. We recommend that the Senate recede from its substitute for sub-section (b) of Section 13, of said H. 481, as heretofore adopted by the Senate and in lieu of said sub-section (b) adopt sub-section (b) as follows:

"(b) Amounts received as dividends from national banks or national banking associations or from corporations engaged in the business of banking or financial business employing moneyed capital coming into competition with the business of National Banks and also net income realized by individuals and partnerships from time to time in the business of banking and of conducting a financial business employing moneyed capital coming into competition with the business of National Banks only during and for the periods during which such national banks, corporations, individuals and partnerships are subject to an excise tax imposed by this State on or with respect to such income, and dividends paid by any such corporation out of income subject to such excise tax. Provided, however, the exemptions under this subsection (b) shall only apply to dividends received from corporations and/or institutions while paying a State tax on its net income under the laws of Alabama." And that the House concur in said amendment.

5. We recommend that the Senate recede from its Substitute for Section 30, of said H. 481, as heretofore adopted by the Senate and in lieu of said Section 30, adopt Section 30 as follows:

"Section 30. Assessment of Income Taxes. The income tax provided for in this Act shall be assessed and fixed as hereinafter provided by the State Tax Commissioner and upon blanks in the form to be prescribed by the State Tax Commissioner.

Provided, the amount shown to be due by the taxpayer's return shall constitute and create a prima facie liability for such amount on which taxes shall be paid as herein provided.

Provided, further, that "assessment" or "assessed" herein used shall refer to and mean the final determination of the amount found to be due by the State Tax Commissioner.

Provided, further, that the mailing of the income tax blanks to persons liable for the tax herein provided, shall be the only notice required to be given, except where the amount as finally fixed by the State Tax Commissioner shall be different from the amount shown to be due by the return as made by the taxpayer.

Provided, further, that the failure to receive such blank shall not relieve any person required to make a return, from making such return, of the penalties for failure so to do or liability for tax.

Provided, further, that where the State Tax Commissioner determines that the amount due is different from that shown by the taxpayer's return, notice of such different amount shall be given to taxpayer by registered mail, return receipt required, giving the taxpayer notice of the amount so fixed and the State Tax Commissioner shall fix a day, not less than fifteen days from date of such notice, for hearing any protest of taxpayer. The time and place of such hearing shall be designated in such notice. Upon hearing such protest or if the taxpayer fails to appear on the day set, the State Tax Commissioner shall finally fix, determine and assess the amount of tax due and notify the taxpayer thereof by registered mail. Within sixty (60) days from the date of mailing the letter advising the taxpayer of such assessment the taxpayer may upon paying the tax appeal from such assessment to the Circuit Court of Montgomery County sitting in Equity by filing notice of appeal with the Secretary of the State Tax Commission and with the Register of the Circuit Court of Montgomery County which shall hear and determine the case and enter judgment for the taxpayer if he is not liable for any part of the tax so assessed or for such part of the tax as the Court shall determine was overpaid by the taxpayer. On a judgment of the Circuit Court of Montgomery County either the State or the taxpayer may appeal to the Court of Appeals or to the Supreme Court as in civil cases within sixty (60) days from the rendition of judgment. In the event the taxpayer is successful the amount of tax shall be promptly refunded to him with four (4) per cent, per annum interest thereon from the date of payment by him and if not so refunded may be credited by the taxpayer on any subsequent tax due by him to the State." And that the House concur in said amendment.

6. We recommend that the Senate readopt all other amendments to said bill and that the House concur in and adopt the same and that the Senate and House again pass said bill as amended.

Respectfully submitted,

R. T. GOODWYN,
EARL M. MCGOWIN,
J. N. POOLE,

On part of House.

R. H. POWELL,
HUBERT FARMER,
W. W. BEASLEY,

On part of Senate.

CONFERENCE REPORT

On motion of Mr. Powell, the Senate concurred in and adopted the foregoing report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 481. In reference to and to further provide for the general revenue of the State of Alabama.

Yeas, 29; nays, 3.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Fletcher	Lapsley	Teasley
Cooper	Garrett	McDaniel	Walker
Cowart	Goodwin	Millsap	Warren
Darden	Hooton	Mullins	Wikle
Delony			

—29

Nays:—Messrs. Bonner, Hildreth, McDowell

— 3

And said bill, H. 481, as thus amended by the report of the Committee of Conference, was again read a third time at length and passed.

Yeas, 25; nays, 4.

Yeas:

Messrs.:

Beasley	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Garrett	McDaniel	Teasley
Cooper	Goodwin	Millsap	Walker
Cowart	Hooton	Mullins	Warren
Darden	Hubbard	Powell	Wikle
Delony			

—25

Nays:—Messrs. Bonner, Faulk, Hildreth, McDowell

— 4

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. J. R. 79. Relative to the adjournment of the two Houses until Friday, October 21st, at 10 o'clock, A. M.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Powell, the Senate non-concurred in the following amendment by the House to S. J. R. 79, the title of which is set out in the foregoing Message from the House, to-wit:

Amend S. J. R. 79 by striking out the words and figures "Friday, October 21st" and inserting in lieu thereof the words and figures "Thursday, October 20th."

And requests a Committee of Conference, and the President of the Senate appointed as conferees on part of the Senate, Messrs. Powell, Teasley and Jordan.

NOTICE

Mr. Hooton gave to the Senate the following notice in writing: "Notice is hereby given that on the 25th Legislative Day motion will be made to take House Bill 313 from the Adverse Calendar."

Hooton.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills and resolution with the engrossed and original bills and resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 75. Requesting Southern Conference Officials to reconsider their action preventing the broadcast of Foot Ball games, and petitioning officials of colleges maintained by the State of Alabama to use their influence to accomplish this result.

S. 125. To encourage the building of bridges, causeways and other development work and relief work upon and abutting on tide lands, the title to or control of which may now or hereafter be vested in the State of Alabama, which shall not have been improved by or under valid public authority and shall not be otherwise devoted to public use, by authorizing the improvement and use thereof and of the abutting submerged lands so improved, and the vesting of title thereto in owners of the abutting riparian land, under and subject to the conditions and approval stated in the Act."

S. 130. To relieve all persons of any legal obligation to work on the public streets in the City of Athens, Limestone County, State of Alabama, or to pay any money in lieu of such legal obligation to work on the public streets in Athens, Limestone County, Alabama.

S. 205. To amend the title and body of an Act approved May 27th, 1931, and entitled "An Act to abolish the office of Coroner in all Counties in this State having a population of three hundred thousand (300,000) or more, according to the last or any subsequent Federal census and to require the County Commission in all such Counties to perform the duties now or which may hereafter be by

law required of Coroners of this State; and to invest such County Commissions with all the rights and powers of such Coroners."

T. A. Goodwin,
Chairman.

SIGNING OF BILLS AND RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and resolution; the titles of which are set out in the foregoing Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the Senate Joint Resolution:

S. J. R. 79. Relative to the adjournment of the two Houses until Friday, October 21st, at 10 o'clock, A. M.

And the Speaker of the House has named as conferees on part of the House, Messrs. Beebe, Snodgrass and Patterson.

J. H. Stewart,
Clerk.

BILLS ON THIRD READING

The bill:

H. 479. To provide for the exemption from taxation of property owned by educational institutions located in the State of Alabama, devoted exclusively to educational purposes.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for said bill to-wit:

Substitute for H. 479:

A BILL

To be entitled an Act to provide for the exemption from taxation of property owned by educational institutions located in the State of Alabama, the income therefrom to be used exclusively for educational purposes.

Be it enacted by the Legislature of Alabama:

SECTION 1. That all improved or unimproved property owned by chartered institutions of learning, authorized to grant the usual college degrees, obtained by mortgage foreclosures on loans heretofore made, shall be exempted from all State, County and

Municipal ad valorem taxes for three years, beginning October 1, 1932, provided the income therefrom is used exclusively for educational purposes.

SECTION 2. All laws, or parts of laws, in conflict herewith are hereby expressly repealed.

SECTION 3. This Act shall take effect immediately upon its passage and approval by the Governor.

Which was adopted.

Yeas, 27; nays, 0.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Brown

Caffey

Cooper

Cowart

Craft

Darden

Delony

Duncan

Farmer

Fletcher

Garrett

Goodwin

Hooton

Hubbard

Jordan

Kelley

Lapsley

McDowell

Millsap

Mullins

Scruggs

Shepherd

Warren

Wikle

—27

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 29; nays, 1.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Brown

Caffey

Cooper

Craft

Darden

Delony

Farmer

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Jordan

Kelley

Lapsley

McDowell

Millsap

Mullins

Powell

Scruggs

Shepherd

Teasley

Walker

Warren

Wikle

—29

Nay:—Mr. Faulk

— 1

The bill:

H. 82. In reference to and to further provide for the general revenue of the State of Alabama.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to said bill, to-wit:

Amend House Bill 82 by striking out Section 1 of said Bill and insert in lieu thereof the following:

Section 1. That in addition to all other taxes of every kind now imposed by law and which are not specifically repealed by this Act, every person, firm, corporation, club or association, within the State of Alabama, who sells and/or stores and/or receives for the purposes of distribution to any person, firm, corporation, club or association within the State of Alabama, cigars, cheroots, stogies, cigarettes, smoking tobacco, or any substitute therefor, either or all, shall pay to the State of Alabama for State purposes only, a

license or privilege tax which shall be measured by and graduated in accordance with the volume of sales of such person, firm, corporation, club or association in Alabama.

There is hereby levied license or privilege taxes on articles containing tobacco enumerated in this Section the following amounts:

(1) Little Cigars.—Upon cigars of all descriptions made of tobacco, or any substitute therefor, and weighing not more than three (3) pounds per thousand, One (\$0.01) cent for each ten (10) cigars, or fraction thereof.

(2) Cheroots, Stogies, Etc.—Upon cigars of all descriptions made of tobacco or any substitute therefor, retailing for three (\$0.03) cents each or less, one (\$1.00) dollar per thousand.

(3) Cigars.—Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for more than three (\$0.03) cents each and not more than five (\$0.05) cents each, two (\$2.00) dollars per thousand.

(4) Cigars.—Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for more than five (\$0.05) cents each and not exceeding eight (\$0.08) cents each, three (\$3.00) dollars per thousand.

(5) Cigars.—Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for more than eight (\$0.08) cents each not not exceeding ten (\$0.10) cents each, five (\$5.00) dollars per thousand.

(6) Cigars.—Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for more than ten (\$0.10) cents each and not exceeding twenty (\$0.20) cents each, ten (\$10.00) dollars per thousand.

(7) Cigars.—Upon cigars of all descriptions made of tobacco, or any substitute therefor, retailing for more than twenty (\$0.20) cents each, thirteen-fifty (\$13.50) dollars per thousand.

(8) Cigarettes.—Upon all cigarettes made of tobacco or any substitute therefor: upon each package retailing for five (\$0.05) cents, or less, one (\$0.01) cent; upon each package retailing for more than five (\$0.05) cents each, an additional one (\$0.01) cent for each five (\$0.05) cents or fractional part thereof of the retail selling price in excess of five (\$0.05) cents;

(9) Smoking Tobacco.—Upon all smoking tobacco, including granulated, plug cut, crimp cut, ready rubbed and other kinds and forms of tobacco prepared in such manner as to be suitable for smoking in a pipe or cigarette; upon each package retailing for five (\$0.05) cents, or less, one (\$0.01) cent; upon each package retailing for more than five (\$0.05) cents each, an additional one (\$0.01) cent for each five (\$0.05) cents or fractional part thereof of the retail selling price in excess of five (\$0.05) cents;

(a) Whenever in this Section reference is made to any manufactured tobacco products, manufactured or imported to sell at a certain price, as the basis for computing the tax, it is intended to mean the ordinary, customary, or usual price paid by the consumer for each individual cigar, package of cigarettes, package of smoking tobacco, or any other tobacco products taxable under this Act.

(b) When the retail or selling price is referred to in this Act as the basis for computing the amount of stamps required on any articles, it is intended to mean the retail or selling price of the article before adding the amount of the tax.

(c) When any articles or commodities subject to tax in this Act are given as prizes on punch boards, shooting galleries, etc., the tax shall be based on the ordinary selling price of such articles.

(d) The tax herein levied shall be paid through the use of stamps herein provided for. Stamps in denominations to the amount of the tax shall be affixed to the box or other container from or in which tobacco products taxed by this Act, are normally sold at retail. The stamps shall be affixed in such a manner that their removal will require continued application of water or steam, and, in case of cigars, cheroots, and like manufactured tobacco products, where sales are made from the original container, the stamps shall be fixed in such a way that the stamps shall be torn in two or mutilated when such containers or boxes are opened for the sale of the tobacco products. In the case of cigarettes, smoking tobacco and like products, sold by retail in packages, the required amount of stamps to cover the tax shall be affixed to each individual package.

Mr. McDowell moved that said bill and pending amendment be indefinitely postponed.

Mr. Teasley moved to table the motion to indefinitely postpone, which motion prevailed and said motion was laid on the table.

Yeas, 22; nays, 10.

Yeas:

Messrs.:

Bartlett	Craft	Jordan	Shepherd
Beasley	Darden	Kelley	Teasley
Brown	Duncan	McDaniel	Walker
Caffey	Fletcher	Millsap	Warren
Cooper	Garrett	Powell	Wikle
Cowart	Hubbard		

—22

Nays:

Messrs.:

Bonner	Farmer	Hildreth	Mullins
Delony	Faulk	McDowell	Scruggs
Edmundson	Goodwin		

—10

The question then recurred on the adoption of said committee amendment, and the amendment was adopted.

Yeas, 24; nays, 8.

Yeas:

Messrs.:

Bartlett	Craft	Hubbard	Scruggs
Beasley	Darden	Jordan	Shepherd
Brown	Duncan	Kelley	Teasley
Caffey	Fletcher	McDaniel	Walker
Cooper	Garrett	Millsap	Warren
Cowart	Goodwin	Powell	Wikle

—24

Nays:

Messrs.:

Bonner	Edmundson	Faulk	McDowell
Delony	Farmer	Hildreth	Mullins

— 8

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 9.

Yeas:

Messrs.:

Bartlett	Craft	Hubbard	Shepherd
Beasley	Darden	Jordan	Teasley
Brown	Duncan	Kelley	Walker
Caffey	Fletcher	McDaniel	Warren
Cooper	Garrett	Millsap	Wikle
Cowart	Goodwin	Powell	

—23

Nays:

Messrs.:

Bonner	Farmer	Hildreth	McDowell
Delony	Faulk	Lapsley	Scruggs
Edmundson			

— 9

The bill:

S. 227. To permit certain amusements, recreations and entertainments to be furnished and engaged in on Sunday in cities of this State whose population is not less than 30,000 nor more than 40,000 according to the last or any subsequent Federal Census or in cities which have since the 1930 Federal Census been merged or consolidated and the combined population of such cities after such merger is not less than 30,000 nor more than 40,000 and known as "Class D" cities.

Was taken up.

The Committee on Local Legislation reported the following amendment to said bill, to-wit:

Amend Senate Bill No. 227 by striking therefrom Section 2 and adding in lieu thereof as follows:

In any such city the acts herein permitted may be prohibited by an ordinance passed by the governing body of such city on the written petition therefor of not less than one-fourth of the qualified electors of such city, if, at an election, held on the day on which

the next general election for Governor is held, a majority of the qualified electors participating in such election, shall vote in favor of the ratification of such ordinance. Such ordinance shall not be effective unless and until it is ratified by such vote at such election.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Mullins
Beasley	Duncan	Hubbard	Powell
Bonner	Edmundson	Jordan	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Fletcher	Lapsley	Teasley
Cooper	Garrett	McDaniel	Walker
Cowart	Goodwin	McDowell	Warren
Craft	Hildreth	Millsap	Wikle
Darden			

—33

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Mullins
Beasley	Edmundson	Hubbard	Powell
Brown	Farmer	Jordan	Scruggs
Caffey	Faulk	Kelley	Shepherd
Cooper	Fletcher	Lapsley	Teasley
Cowart	Garrett	McDaniel	Walker
Craft	Goodwin	McDowell	Warren
Darden	Hildreth	Millsap	Wikle
Delony			

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:
By Mr. Harrison:

H. 551. To require that all sentences for a term or terms of less than six months as penalties for offenses and to enforce payment or satisfaction of fine imposed in misdemeanor cases tried and convicted in the courts of all counties of this State for violations of the criminal laws of this State, where such counties do not now or may not hereafter work their county convicts on the public roads or at other work in such counties, shall be to imprisonment in the county jail for the term or terms of such sentences.

Also:

By Mr. Harrison:

H. 552. To amend an Act entitled: "An Act to further regulate the custody, care, maintenance and use of the county convicts

by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith." (Approved February 18, 1927).

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House message were severally read once and referred to appropriate Standing Committee as follows:

H. B's. 551 and 552, to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the Senate Joint Resolution:

S. J. R. 79. Relative to the adjournment of the two Houses until Friday, October 21st, at 10 o'clock, A. M.

Said report of the Committee of Conference being in words and figures as follows, to-wit:

The Hon. Senate and House of Representatives,
Legislature of Alabama.

We, your conference committee, on Senate Joint Resolution No. 79 respectfully recommend as follows:

1. That the House recede from its amendment to the said Senate Joint Resolution and adopt the said Senate Joint Resolution as it passed the Senate without amendment.

CHAS. B. TEASLEY,
Conferee on part of Senate
R. H. POWELL,
Conferee on part of Senate
E. D. JORDAN,
Conferee on part of Senate
W. C. BEEBE,
Conferee on part of House
JOHN SNODGRASS,
Conferee on part of House
JOHN PATTERSON,
Conferee on part of House.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Powell, the Senate concurred in and adopted the report of the Committee on Conference on the disagreement of the two Houses on the House Amendment to S. J. R. 79, the title

of which and said Conference Report, is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 195. To further regulate the distribution of funds of Building and Loan Associations.

Also:

S. 202. To fix the compensation or salary to be paid the Tax Assessor of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistance and other expenses in said office of the Tax Assessor of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter authorized to be collected by said official and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Assessor of Tuscaloosa County and the clerks, deputies, and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such Tax Assessor, and to prescribe when this Act shall go into effect.

Also:

S. 203. To fix the compensation or salary to be paid the Judge of Probate of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide clerical assistance and other expenses in the Probate Office of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter collected by said official and to pay same into the County treasury; to provide for the payment of the salary or compensation of said official and the clerical assistants, and other office expenses out of said funds of the County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such officer, and to prescribe when said Act shall go into effect.

Also:

S. 204. To fix the compensation or salary to be paid the Tax Collector of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistance and other expenses in said office of the Tax Collector of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and

allowances heretofore or hereafter authorized to be collected by said official and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Collector of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this said Act shall go into effect.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Twenty-fourth Legislative Day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Hubert Farmer,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read, and, on motion of Mr. Farmer, said report was concurred in, and the Journal of the Senate for the Twenty-fourth Legislative Day, approved.

ADJOURNMENT

At 5:30 P. M., on motion of Mr. Scruggs, and pursuant to Joint Resolution heretofore adopted, the Senate adjourned until Friday, October 21st 1932, at 10 A. M.

TWENTY-FIFTH DAY

Friday, October 21st, 1932

The Senate met pursuant to adjournment, Lieutenant-Governor Merrill, presiding.

PRAYER

By Dr. Walter D. Agnew, President of the Woman's College.

ROLL CALL

Present:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

JOURNAL

On motion of Mr. Hubbard, the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Caffey, leave of absence was granted Mr. Lasley for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Mullins:

S. 265. To provide for the calling of a convention in the State of Alabama to consider amendments proposed by the Congress to the Constitution of the United States of America.

Committee on Constitution, Constitutional Revisions and Amendments.

By Mr. Craft:

S. 266. To create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission; to authorize said Commission to make reductions in all assessments against property included in the following paving ventures, to-wit:

Series "W"—21st Paving
 Series "X"—22nd Paving
 Series "Y"—23rd Paving
 Series "Z"—24th Paving
 Series "AB"—25th Paving
 Series "CD"—26th-A Paving
 Series "IJ"—26th Paving
 Series "MN"—27th Paving.

To provide for the payment of reduced assessments and any refunds due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix a penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal from the finding of such Commission.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the Special Session of the Legislature, convened on, to wit: August 16, 1932, or any adjourned session thereof, by call of the Governor, for the passage of a local law providing in substance as follows:

AN ACT

To create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission; to authorize said Commission to make reductions in all assessments against property included in the following paving ventures, to wit:

Series "W"—21st Paving
 Series "X"—22nd Paving
 Series "Y"—23rd Paving
 Series "Z"—24th Paving
 Series "A-B"—25th Paving
 Series "C-D"—26th-A Paving
 Series "I-J"—26th Paving
 Series "M-N"—27th Paving.

To provide for the payment of reduced assessments and any refunds due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix a penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal for the finding of such Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a Commission of Adjustment in the City of Mobile, Alabama, whose membership shall be composed of the following residents of the City of Mobile, namely: F. L. Giblin, Clarence V. Evans and a third member to be named by the senator and representatives from Mobile County. In the event of inability of any Commissioner to con-

tinue his duties, or in the event of any vacancy, the remaining member or members of such Commission shall appoint a successor to fill the vacancy thus created, which appointment shall be made at a regular meeting of the Commission, and which shall be shown on the minutes of such Commission; each Commissioner shall hold office until the duties of such Commission, as hereinafter set out, are completed, which must be done in eighteen months. Any person appointed to such Commission must be a resident and qualified elector of the City of Mobile, Alabama.

Section 2. Such Commission on its appointment shall cause to be prepared a list of all real property in the City of Mobile, Alabama, against which a lien exists and/or assessment has been made for the paving of the streets included in the following paving ventures:

Series "W"—21st Paving
 Series "X"—22nd Paving
 Series "Y"—23rd Paving
 Series "Z"—24th Paving
 Series "A-B"—25th Paving
 Series "C-D"—26-A Paving
 Series "I-J"—26th Paving
 Series "M-N"—27th Paving.

Such Commission shall determine what, in its judgment, is a fair and reasonable proportion of the assessment previously made by the City of Mobile for the respective property owner to pay and the assessment now outstanding against each piece of property included in the above mentioned ventures shall be reduced accordingly. Nothing herein contained shall be construed in any way to impair the obligation of the contract between the City, the property owners affected by the above mentioned ventures and the holders of bonds issued to pay for the paving and/or resurfaced laid in front of the property included in the above mentioned ventures and the bond holders shall have the same rights which they had prior to the passing of this Act and the reduction so made by the Commission of Adjustment shall be effective only as between the property owner and the City of Mobile.

Section 3. Suitable offices and equipment shall be furnished to the Commission of Adjustment by the City of Mobile and any expense in connection therewith shall be paid out of the special fund herein created. The said Commission of Adjustment shall have the right to hold hearings, employ experts and incur such expense as may be necessary, and shall receive Ten Dollars (\$10.00) per day for servicers rendered for each day that the said Commission shall sit.

Section 4. In the event that any owner of property be aggrieved by reason of the assessment as fixed by the Commission of Adjustment, he shall have the right to demand arbitration proceedings and one arbitrator shall be selected by the property owner, one by the Board of Adjustment of the City of Mobile, and a third by these two, and the findings of such arbitrators shall be final.

Section 5. In the event that any property owner has paid all the assessment against any property included in the above mentioned ventures, then he shall be issued by the City of Mobile a Non-Interest Bearing Warrant in an amount equal to the reduction granted to him, such warrant to be payable when the Bonds outstanding in the venture in which his property is included have been fully paid and satisfied. In the event any property owner has paid a portion of the assessment against his property and such portion exceeds the amount of the assessment as fixed by the Commission of Adjustment, he shall be issued by the City of Mobile, a Non-Interest Bearing Warrant payable when the Bonds outstanding in the venture in which his property is included have been fully paid and satisfied. In the event that any property owner has paid a portion of the assessment originally fixed against his property and after the reduction by the Commission of Adjustment there still remains an

amount due by the property owner such amount shall be payable as herein-after provided.

Section 6. Any amount assessed against any property abutting on any streets included in any of the above paving ventures, shall be payable in ten equal annual installments and shall bear interest and suffer penalties as provided by law for the original assessment. The first installment shall be due on the first day the said Commission of Adjustment shall sit, and shall be payable immediately on the fixing of the assessment by the Commission of Adjustment and delinquent thirty days thereafter. In the event any assessment as fixed by the Commission of Adjustment be not paid in full in the time herein prescribed, such assessment shall automatically revert to the amount originally fixed by the City of Mobile.

Section 7. In the event that the City of Mobile has advanced any sum or sums from the general funds of said City to pay the interest or principal on the bonds issued to pay for any of the above mentioned ventures, then the City shall reimburse the general fund to such amount, without interest, after the bonds affecting the particular venture for which such money was furnished have been paid in full. The Board of Commissioners of the City of Mobile are hereby authorized, empowered and required to enact any or all ordinance or ordinances necessary to carry out all the provisions contained herein.

Section 8. All funds now or hereafter being collected or received by the City of Mobile as its portion of the license or tag tax levied by the State on automobiles, trucks or motor vehicles of any kind; and all funds now or hereafter being collected or received from the ad valorem tax by the City of Mobile on automobiles, trucks or motor vehicles of any kind; and all funds now or hereafter being collected or received by the City of Mobile from any license or excise tax on the sale of gasoline, or other liquid motor fuels or devices or substitutes therefor shall be kept by the City of Mobile in a separate and special account.

Section 9. No amount shall be expended from said special account for any purpose except for payment to the holders of bonds issued to pay for the above mentioned ventures; to property owners or to the City of Mobile as herein directed; and for expenses of the said Commission as herein authorized.

Section 10. Any person violating any of the provisions of the foregoing section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred, nor more than five hundred dollars for each offense.

Section 11. If any section, clause, or provision of this Act be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of the Act which is not in and of itself unconstitutional. In the event that that portion of this Act making the decision of the arbitrators final be held to be unconstitutional, then and in that event the property owner feeling aggrieved shall have the same right of appeal from the assessment fixed by the Commission of Adjustment as he had from the assessment originally fixed by the City of Mobile.

Section 12. That all laws, or parts of laws, in conflict with the provisions of this Act are hereby expressly repealed.

Section 13. This Act shall take effect immediately upon its passage.

J. G. McDonnell being sworn, says that he is Clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached appeared in the issues of Register, Sept. 17-24, Oct. 1-8, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 11 day of Oct. 1932.

THOS. J. GRAY,
Notary Public.

By Mr. Darden:

S. 267. To provide for a Special Election to be held in Coosa County, Alabama, on Tuesday, December 6th, 1932, to determine by the Electors of said County, whether or not the Commissioners' Court of Coosa County, Alabama shall be abolished and a County Board of Revenue created and established in lieu of the Commissioner's Court; to define the number of members on the Board of Revenue, if approved, to define their qualifications, fix their compensation; and prescribe their duties, powers and obligations; to require each member to execute a good and solvent bond in the sum of Five Thousand Dollars, payable to and approved by the Probate Judge of said County; to provide for the appointment and/or election of the members of Board of Revenue and their term of office; to make the Board of Revenue a court of record when acting in judicial capacity, and to require minutes be kept and subject to public inspection and to prohibit closed or secret sessions of the Board of Revenue; to require the Board of Revenue to buy all County Supplies, in excess of fifty dollars, including books, stationery, records, road machinery, gasoline, motor oil parts for tractors or machinery of the county, from the lowest responsible competitive bidder; to prohibit and punish any member of the Board of Revenue from employing any one related to any member of the Board of Revenue within the fourth degree by blood or consanguinity to do any work for the county, or to act as agent of any member of the Board of Revenue to do or to perform any act for such member; to provide that the Board of Revenue of Coosa County may appoint or elect a qualified and suitable man as County Road Superintendent who shall have control of the working and maintaining of the County public roads, to fix his salary or compensation which shall not be more than One Hundred Dollars per month with actual expenses added not to exceed Twenty-five Dollars per month; if the Board of Revenue fails or refuses to elect or appoint such Road Superintendent of County Roads for sixty days after this Act goes into effect, the Governor is empowered and directed to make the appointment and fix his compensation and the Board of Revenue may at any time remove such Road Superintendent on ten days' notice, with or without cause, if the financial condition of the county require such removal, and the Board of Revenue or the Governor may fill such vacancy any time the Board of Revenue of Coosa County or the Governor may deem expedient and for the best interests of the county; to provide that members of the Board of Revenue shall not receive for any one month for all services rendered and mileage traveled more than Thirty-five Dollars; to provide that members of the Board of Revenue and the Board of Revenue shall observe all local and general laws not in

conflict with the provisions of this Act; to provide that if a majority of the electors of Coosa County, Alabama, shall vote in favor of abolishing the Court of County Commissioners and establishing in lieu thereof a Board of Revenue for the County, then all the provisions of this Act shall go into effect on January 1st, 1933, but if not so approved, this Act with all its provisions shall go into effect on First-Monday after the Second Tuesday, in January, 1935.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

TO WHOM IT MAY CONCERN:

Notice is hereby given that a local bill for Coosa County, Alabama, will be introduced at the present special or extraordinary session of the Legislature, the substance of which bill will be as follows:

A BILL TO BE ENTITLED AN ACT

To provide for a Special Election to be held in Coosa County, Alabama, on Tuesday, December 6th, 1932, to determine by the electors of said County, whether or not the Commissioners' Court of Coosa County, Alabama, shall be abolished and a County Board of Revenue created and established in lieu of the Commissioners' Court; to define the number of members on the Board of Revenue, if approved, to define their qualifications, fix their compensation; and prescribe their duties, powers and obligations; to require each member to execute a good and solvent bond in the sum of Five Thousand Dollars, payable to and approved by the Probate Judge of said county; to provide for the appointment and/or election of the members of Board of Revenue and their term of office; to make the Board of Revenue a court of record when acting in judicial capacity, and to require minutes be kept and subject to public inspection and to prohibit closed or secret sessions of the Board of Revenue; to require the Board of Revenue to buy all county supplies, in excess of fifty dollars, including books, stationery, records, road machinery, gasoline, motor oil, parts for tractors or machinery of the county, from the lowest responsible competitive bidder; to prohibit and punish any member of the Board of Revenue from employing any one related to any member of the Board of Revenue within the fourth degree by blood or consanguinity to do any work for the county, or to act as agent of any member of the Board of Revenue to do or to perform any act for such member; to provide that the Board of Revenue of Coosa County may appoint or elect a qualified and suitable man as County Road Superintendent who shall have control of the working and maintaining of the county public roads, to fix his salary or compensation which shall not be more than One Hundred Dollars per month with actual expenses added not to exceed Twenty-five Dollars per month; if the Board of Revenue fails or refuses to elect or appoint such Road Superintendent of County Roads for sixty days after this Act goes into effect, the Governor is empowered and directed to make the appointment and fix his compensation, and the Board of Revenue may at any time remove such Road Superintendent on ten days' notice, with or without cause, if the financial condition of the county require such removal, and the Board of Revenue or the Governor may fill such vacancy any time the Board of Revenue of Coosa County or the Governor may deem expedient and for the best interests of the county; to provide that members of the Board of Revenue shall not receive for any one month for all services rendered and mileage traveled more than Thirty-five dollars; to provide that members of the Board of Revenue and the Board of

Revenue shall observe all local and general laws not in conflict with the provisions of this Act; to provide that if a majority of the electors of Coosa County, Alabama, shall vote in favor of abolishing the Court of County Commissioners and establishing in lieu thereof a Board of Revenue for the County, then all the provisions of this Act shall go into effect on January 1st, 1933, but if not so approved, this Act with all its provisions shall go into effect on First Monday after the Second Tuesday, in January, 1935.

JOHN A. DARDEN,
Senator, 34th District.

Goodwater, Ala., September 27th.

State of Alabama }
Chilton County }

Before me the undersigned notary public in and for said State and County, personally appeared Billy Smith who being duly sworn, states that he is the publisher of The Rockford Chronicle, a newspaper published at Rockford in Coosa County, in said State and that the attached notice of Local Bill was published in said newspaper for four consecutive issues, dated Sept. 29, 1932, Oct. 6, 1932, Oct. 13, 1932 and Oct. 20, 1932.

BILLY SMITH,
Publisher.

Sworn and subscribed to before me this the 20 day of October, 1932.

E. C. TANT,
Notary Public.

By Mr. Darden:

S. 268. To further regulate the actions, duties, obligations, powers and responsibilities of the members of the Commissioners Court, Boards of Revenue, or other similar governing body of Coosa County, Alabama; to require each member of said Commissioners Court, Board of Revenue, or other governing body of said Coosa County, Alabama, to execute a bond in the sum of Five Thousand Dollars for the faithful, honest and diligent discharge of the duties of such offices, and to provide any one injured or damaged by the dishonest, unfaithful or negligence of such officers may maintain a suit in their own name, including the county, for damages sustained by such acts; to prohibit any member of the Commissioners Court, Board of Revenue, or other like or similar body of said county from employing, directly or indirectly, any person related within the fourth degree by affinity or consanguinity to any member of the Commissioners Court, Board of Revenue, or to act as his agent in any capacity, and to provide the Commissioners Court, Board of Revenue, or similar or like governing body of Coosa County, Alabama, to purchase all county supplies, including stationery, books, road machinery, gasoline and motor oil, and all other county requirements in amounts of more than fifty dollars from the lowest competitive and responsible bidder and to provide a penalty for failing to do so; and to provide that this Act shall not repeal any general or local law not in conflict with the provisions of this act/ And to further provide that the members of the Commissioners Court, Board of Revenue, or members of other like or similar governing bodies of Coosa County, Alabama shall not draw in excess of Thirty-Five Dollars per any calendar month

for per diem and mileage for all duties or work performed, and to require each member to file a written, itemized and sworn statement of the work done, nature of the same, dates worked, and mileage traveled in the discharge of their official duties.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Goodwater, Ala., Sept. 26th, 1932.

To whom it may concern:

Notice is hereby given a local bill for Coosa County, Alabama, will be introduced at the present special or extraordinary session of the Legislature, the substance of which will be as follows:

A BILL TO BE ENTITLED AN ACT

To further regulate the actions, duties, obligations, powers and responsibilities of the members of the Commissioners Court, Boards of Revenue, or other similar governing body of Coosa County, Alabama; to require each member of said commissioners court, Board of Revenue, or other governing body of said Coosa County, Alabama, to execute a bond in the sum of Five Thousand Dollars for the faithful, honest and diligent discharge of the duties of such offices, and to provide any one injured or damaged by the dishonest, unfaithful or negligence of such officers may maintain a suit in their own name, including the county, for damages sustained by such acts; to prohibit any member of the Commissioners Court, Board of Revenue, or other like or similar body of said county from employing, directly or indirectly, any person related within the fourth degree by affinity or consanguinity to any member of the Commissioners Court, Board of Revenue, or to act as his agent in any capacity and to provide a penalty therefor; to require the Commissioners Court, Board of Revenue, or similar or like governing body of Coosa County, Alabama, to purchase all county supplies, including stationery, books, road machinery, gasoline and motor oil, and all other county requirements in amounts of more than fifty dollars from the lowest competitive and responsible bidder and to provide a penalty for failing to do so; and to provide that this Act shall not repeal any general or local law not in conflict with the provisions of this Act.

And to further provide that the members of the Commissioners Court, Board of Revenue, or members of other like or similar governing bodies of Coosa County, Alabama, shall not draw in excess of Thirty-five dollars per any calendar month for per diem and mileage for all duties or work performed for the county by such members, and to require each member to file a written itemized and sworn statement of the work done, nature of the same, dates worked, and mileage traveled in the discharge of their official duties.

JOHN A. DARDEN,
Senator, 34th District.

State of Alabama }
Tallapoosa County }

Before me, C. S. Melton, a notary public in said State and for said County, personally appeared Thos. S. Bugg, Publisher of the Goodwater Enterprise, a newspaper with a general circulation in Coosa County, who deposes and says upon oath that the attached notice of a local bill was published for four consecutive issues in said paper, to-wit: On Sept. 28, 1932; Oct. 5, 1932; Oct. 12, 1932 and Oct. 19, 1932.

THOS. S. BUGG,
Publisher.

Sworn to and subscribed before me, this the 19th day of Oct. 1932.

C. S. MELTON,
Notary Public.

By Mr. Fletcher:

S. 269. To authorize Board of County Commissioners of Madison County, to donate to Local Chapter of American Red Cross in said County, for relief of destitution, proceeds of excise gasoline tax distributed to said County under the provisions of an Act of the Legislature of Alabama, approved July 27, 1931; and to repeal all laws in conflict with this Act.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a Bill will be introduced for passage at the special session of the present Legislature of Alabama, in substance as follows:

AN ACT

To authorize Board of County Commissioners of Madison County, to donate to Local Chapter of American Red Cross in said County, for relief of destitution, proceeds of excise gasoline tax distributed to said County under the provisions of an act of the Legislature of Alabama, approved July 27, 1931; and to repeal all laws in conflict with this Act.

Be It Enacted by the Legislature of Alabama:

1st. The Board of County Commissioners of Madison County is hereby authorized and empowered to donate to the support of the Local Chapter of the American Red Cross in said County, for relief of destitution, the proceeds of excise gasoline tax, levied, collected and distributed to said County under the provisions of an Act of the Legislature of Alabama, entitled:

"An Act, To impose, for the use and purpose of supervising, preserving, maintaining, constructing and regulating the use of Public Roads and bridges in the State of Alabama, and to maintain and supervise state convicts while working upon such roads and bridges, an excise tax on all persons, companies, agencies, corporations and associations who sell, distribute, store or draw from storage for any purpose whatsoever, gasoline or any other liquid motor fuels or devices or any substitutes therefor within the State of Alabama; providing for the Collection of such Excise Tax and the payment of same into the State Treasury to the credit of the State Highway Department for the public road and bridge fund; providing for the enforcement of this act and fixing a penalty for the violation of the provisions hereof; providing that the said Excise Tax so imposed shall be in addition to all other Excise Tax now imposed by law; and providing that freight agents of railroads and all agents of all transportation companies operating within the State of Alabama and who transport motor fuels, shall report to the State Tax Commission all shipments of gasoline or any substitutes therefor, receive at any of their stations within the State.

Approved July 27, 1931.

2nd. All laws, or parts of laws, in conflict with the provisions of this Act, are hereby repealed.

3rd. This Act shall go into effect immediately upon its passage and approval by the Governor.

State of Alabama }
Madison County }

Before me, W. P. Nicholson, a notary public in and for said County and State this day personally appeared Henry P. Johnston, who being first duly sworn deposes and says that he is Publisher of The Huntsville Times, a

newspaper of general circulation published in Huntsville, Madison County, Alabama; that the foregoing notice of local bill to be introduced for passage in the Legislature of Alabama was published in said newspaper once a week for four consecutive weeks, on September 27, 1932, October 4, 1932, October 11, 1932, and October 18, 1932.

HENRY P. JOHNSTON,
Publisher.
Sworn to and subscribed before me this 18th day of October, 1932.
W. P. NICHOLSON,
Notary Public.

(Seal)

By Mr. Garrett:

S. 270. To amend Section 1 of an Act entitled "An Act to amend Section 2011 of the Code of Alabama of 1923," approved August 31, 1927.

Committee on Finance and Taxation.

By Mr. Craft:

S. 271. To amend Section 1490, Code of Alabama, 1923.

Committee on Judiciary.

Br. Mr. Teasley:

S. 272. In relation to the Educational System of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness incurred for capital outlays for institutions under the general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute, The University of Alabama and the Alabama College.

Committee on Finance and Taxation.

By Mr. Edmundson:

S. 273. To repeal an act approved February 3rd, 1923, entitled "An act to create the office of Deputy Circuit Clerk of the Criminal Division of the Circuit Court in all counties of the State having a population of more than 200,000 according to the last or any subsequent Federal Census; to provide for the appointment of any such officer and the election of his successor; to prescribe the duties, authorities and to fix the compensation of such Deputy Circuit Clerk.

Committee on Banking and Insurance.

By Mr. Edmundson:

S. 274. To repeal an act entitled "An act to provide for and require all county officers of all counties in Alabama now having or which may hereafter have a population of as much as one hundred and fifty thousand people, according to the last Federal Census, or any such census which may hereafter be taken, to install, equip and maintain, in addition to their offices at the county sites of such county, offices at each other place in such counties where a Circuit Court or Court of like jurisdiction is now authorized by law to be held, or where such court may hereafter be authorized by law to

be held, for the transaction of all business pertaining thereto, that may arise in or be connected with that part of such county without which the cases arising therein may be tried in such Circuit court or court of like jurisdiction at such place, to provide for the selection, qualification and compensation and fix the powers and duties of the deputies of the respective officers of such counties, to act for and assist such officers in the discharge of their duties in connection therewith, to fix the duties of the respective county officers of such counties with reference thereto, to provide equipment for such offices, including stationery, records, books, dockets, furniture, filing cases and other equipment for such offices similar to that kept in the respective offices of such counties at the county site; to prescribe the business of the respective offices and officers of such counties that shall be transacted at such places; to prescribe and regulate the instruments recorded thereat, and to otherwise provide for the installation, equipment and maintenance of such offices and officers at such places for the transaction of all business pertaining to such offices and officers that may arise within such territory of such counties. Approved September 16, 1915.

Committee on Banking and Insurance.

By Mr. Edmundson:

S. 275. To fix the compensation or salary of the Register of the Circuit Court of Jefferson County, Alabama and to regulate the payment of the same.

Committee on Banking and Insurance.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given that the following bill will be introduced in the Legislature at the special session beginning August 16, 1932, and its passage applied for:

A BILL TO BE ENTITLED AN ACT

To fix the compensation or salary of the Register of the Circuit Court of Jefferson County, Alabama, and to regulate the payment of the same.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the Register of the Circuit Court of Jefferson County, Alabama, shall receive a salary of Four Thousand Eight Hundred (\$4,800.00) Dollars per annum, which said salary shall be paid out of the County Treasury in equal monthly installments and shall be in lieu of all other compensation, fees or emoluments.

Section 2. That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

Section 3. That this act shall go into effect upon its approval.

State of Alabama }
County of Jefferson } ss:

On this 11 day of October A. D., 1932, personally appeared before me, W. O. Oliver a Notary Public in and for the County and State aforesaid J.

H. Capps who being duly sworn according to law, declares that he is Book-keeper of the Birmingham Age-Herald a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

September 20-27, October 4 and 11, 1932.

Signed J. H. CAPPS.

Subscribed and sworn to before me this day 11 of October A. D., 1932.

W. O. OLIVER,

Notary Public.

(Seal)

By Mr. Darden:

S. 276. To provide for a Special Election to be held in Coosa County, Alabama, on the 6th day of December, 1932, to determine whether or not the County Board of Education of Coosa County, Alabama, shall be abolished and a County School Board for Coosa County, Alabama, shall be created and established with three members in lieu thereof; and to provide for the appointment of members of the County School Board for Coosa County, Alabama, by the Governor until the next general election, and thereafter to be elected by the qualified electors of the county and to hold office for a term of four years from the second Tuesday after first Monday in January, after their election; to define the qualifications, duties and powers of members of the county school board; to fix the compensation of members of the County School Board and provide the manner of paying the same; to prohibit secret or closed sessions of the public school board; to provide for the organization of the public school board and to require minutes of each meeting be made within five days after each session and to provide for public inspection of the same; to provide that the provisions of this Act, if ratified by the electors in the Special Election provided for in this Act, shall go into effect on the first day of January, 1933, and if not ratified by the qualified electors of the county in the special election, then all the provisions of this Act, except the Special Election provision, shall go into effect and be operative on the second tuesday after the first Monday in January, 1935, and members of the County School Board shall be elected at the general election in 1934 as other county officers are or may be elected; and to require the county school board of Coosa County, Alabama, to comply with all local and general laws, not in conflict with the provisions of this Act; and to repeal all laws and parts of laws in conflict with the provisions of this Act.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

To whom it may concern:

Notice is hereby given that a local bill for Coosa County, Alabama, will be introduced at the present special or extraordinary session of the Alabama Legislature, the substance of which bill will be as follows:

A BILL TO BE ENTITLED AN ACT

To provide for a Special Election to be held in Coosa County, Alabama, on the 6th day of December, 1932, to determine whether or not the County Board of Education of Coosa County, Alabama, shall be abolished and a County School Board for Coosa County, Alabama, to be created and established with three members in lieu thereof; and to provide for the appointment of members of the County School Board for Coosa County, Alabama, by the Governor until the next general election, and thereafter to be elected by the qualified electors of the county and to hold office for a term of four years from the second Tuesday after first Monday in January, after their election; to define the qualifications, duties and powers of members of the County School Board; to fix the compensation of members of the County School Board and provide the manner of paying the same; to prohibit secret or closed sessions of the Public School Board; to provide for the organization of the Public School Board and to require minutes of each meeting be made within five days after each session and to provide for public inspection of the same: to provide that the provisions of this Act, if ratified by the electors in the Special Election provided for in this Act, shall go into effect on the first day of January, 1933, and if not ratified by the qualified electors of the county in the Special Election, then all the provisions of this Act, except the Special Election provision, shall go into effect and be operative on the second Tuesday after the first Monday in January, 1935, and members of the County School Board shall be elected at the general election in 1934 as other county officers are or may be elected; and to require the County School Board of Coosa County, Alabama, to comply with all local and general laws, not in conflict with the provisions of this Act; and to repeal all laws and parts of laws in conflict with the provisions of this Act.

JOHN A. DARDEN,
Senator, 34th District.

Goodwater, Ala., Sept. 26th, 1932.

State of Alabama }
Tallapoosa County }

Before me, C. S. Melton, a notary public in said state and for said county, personally appeared Thos. S. Bugg, publisher of the Goodwater Enterprise, a newspaper with a general circulation in Coosa County, who deposes and says upon oath that the attached notice of a local bill for Coosa County was published in said newspaper for four consecutive weeks, to-wit:

On Sept. 28, 1932; Oct. 5, 1932; Oct. 12, 1932 and Oct. 19, 1932.

THOS. S. BUGG,
Publisher.

Sworn to and subscribed before me, this the 19th day of October, 1932.

C. S. MELTON,
Notary Public.

By Mr. Darden:

S. 277. To provide for a Special Election to be held in Coosa County, Ala., on Tuesday, December 6th, 1932 to determine by the qualified electors of the county whether or not the offices of Tax Collector and Tax Assessor shall be abolished, and the office of Tax Assessor-Collector created and established in lieu therefor; to define the qualifications, term of office, his powers, duties and obligations of the Tax Assessor Collector; to fix his compensation and fix the manner of paying the same; to provide for a deputy Tax Assessor-Collector, and to fix his compensation at not more than six hundred dollars per annum to be paid in the same manner

as the Tax Assessor-Collector's salary is paid; to require the Tax Assessor-Collector to collect and pay into the County Treasury all the commissions, fees and other compensation now received by the tax assessor and tax collector of said County, or that such officers may be entitled to collect and receive for or on their compensation, as a special fund, and out of that special fund the salary of the Tax Assessor-Collector and his Deputy Tax Assessor-Collector shall be paid; to provide for the manner and to what purpose any excess of said special fund, over and above the salaries of the tax assessor-collector and his deputy, may be expended. And to provide if a majority of the qualified electors of Coosa County, Alabama, shall vote favorably to abolish the offices of Tax Collector and Tax Assessor of Coosa County, and create and establish in lieu thereof the office of Tax Assessor-collector, then the provisions of this Act shall become effective, in full force and effect, on the first day of January, 1933, but if not so approved by the qualified electors of Coosa County, then the provisions of this Act shall become effective on September 1st, 1935. And to provide that the Governor shall appoint a Tax Assessor-Collector for Coosa County, Alabama, in the event the qualified electors shall approve the abolishment of the offices of the tax collector and tax assessor of Coosa County, Alabama and the creation of the office of Tax Assessor-Collector, who shall serve until next general election when his successor shall be elected; and to provide for the election thereafter of said Tax Assessor-Collector by the qualified electors of the county for term of four years. And to provide that the Tax Assessor-Collector shall execute a good and solvent bond in the amount now provided by law for tax collectors and tax assessors for the county, and that bond may be made either by personal securities or by a bonding company, authorized to do business in Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A LOCAL BILL

TO WHOM IT MAY CONCERN:

Notice is hereby given that a local bill for Coosa County, Alabama, will be introduced at the present special or extraordinary session of the Legislature, substance of which will be as follows:

A BILL TO BE ENTITLED AN ACT

To provide for a Special Election to be held in Coosa County, Ala., on Tuesday, December 6th, 1932, to determine by the qualified electors of the county whether or not the offices of Tax Collector and Tax Assessor shall be abolished, and the office of Tax Assessor-Collector created and established in lieu thereof; to define the qualifications, term of office, his powers, duties and obligations, of the Tax Assessor-Collector; to fix his compensation and fix the manner of paying the same; to provide for a deputy Tax Assessor-Collector, and to fix his compensation at not more than six hundred dollars

per annum to be paid in the same manner as the Tax Assessor-Collector's salary is paid; to require the Tax Assessor-Collector to collect and pay into the county treasury all the commissions, fees and other compensation now received by the tax assessor and tax collector of said County, or that such officers may be entitled to collect and receive for or on their compensation, as a special fund, and out of that special fund the salary of the Tax Assessor-Collector and his Deputy Tax Assessor-Collector shall be paid; to provide for the manner and to what purpose any excess of said special fund, over and above the salaries of the tax assessor-collector and his deputy, may be expended;

And to provide if a majority of the qualified electors of Coosa County, Alabama, shall vote favorably to abolish the offices of tax collector and tax assessor of Coosa County, and create and establish in lieu thereof the office of Tax Assessor-Collector, then the provisions of this Act shall become effective, in full force and effect, on the first day of January, 1933, but if not so approved by the qualified electors of Coosa County, then the provisions of this Act shall become effective on September 1st, 1935.

And to provide that the Governor shall appoint a Tax Assessor-Collector for Coosa County, Alabama, in the event the qualified electors shall approve the abolishment of the offices of tax collector and tax assessor of Coosa County, Alabama and the creation of the office of Tax Assessor-Collector, who shall serve until next general election when his successor shall be elected; and to provide for the election thereafter of said Tax Assessor-Collector by the qualified electors of the county for term of four years.

And to provide that the Tax Assessor-Collector shall execute a good and solvent bond in the amount now provided by law for tax collectors and tax assessors for the county, and that bond may be made either by personal securities or by a bonding company, authorized to do business in Alabama.

JOHN A. DARDEN,
Senator, 34th District.

Goodwater, Ala., Sept. 26, 1932.

State of Alabama }
Chilton County }

Before me the undersigned notary public in and for said State and County, personally appeared Billy Smith who being duly sworn, states that he is the publisher of The Rockford Chronicle, a newspaper published at Rockford, in Coosa County, in said state and that the attached notice of Local Bill was published in said newspaper for four consecutive issues, dated Sept. 29th, 1932; Oct. 6th, 1932; Oct. 13th, 1932 and October 20, 1932.

BILLY SMITH,
Publisher.

Sworn and subscribed to before me this the 20 day of October, 1932.

E. C. TANT,
Notary Public.

REPORTS OF COMMITTEES

Mr. McDowell, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Walker (with Amendment):

S. 255. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission, in the public interest, of transportation companies as de-

fined by Section 9709 of the Code of Alabama of 1923, and to provide for the assessment, collection and payment of supervision and inspection fees by such transportation companies.

By Mr. McDaniel:

S. 244. To amend Sections 312 and 324 of the Code of Alabama, 1923, relating to county depositories in lieu of county treasurers.

By Mr. Walker:

S. 256. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of public utilities, and of thier relations and contracts with holding compnaies and affiliated interest; and so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and charges; facilities and plants; franchises, licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities, and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the Commission or with the provisionsof this' Act; and as a part hereof, to amend sections 9750 and 9753 of the Code of Alabama of 1923.

By Mr. McDowell:

S. 264. To amend the title of an Act Approved July 27, 1931, and entitled "An Act to impose for the use and purpose of supervising, preserving, maintaining, constructing and regulating the use of public roads and bridges in the State of Alabama, and to maintain and supervise State Convicts while working upon such roads and bridges, an excise tax on all persons, companies, agencies, corporations and associations who sell, distribute, store or draw from storage for any purpose whatsoever, gasoline or any other liquid motor fuels or devices, or any substitutes therefor within the State of Alabama; providing for the collection of such excise tax, and the payment of same into the State Treasury to the credit of the State Highway Department for the public road and bridge fund; providing for the enforcement of this Act and fixing a penalty for the violation of the provisions hereof; providing that the said excise tax so imposed shall be in addition to all other excise tax now imposed by law; and providing that freight agents of railroads, and all agents of all transportation companies operating within the State of Alabama, and who transport motor fuels, shall report to the State Tax Commission all shipments of gasoline, or any substitutes therefor, received at any of their stations within the State".

By Mr. Harrison (with amendment):

H. 551. To require that all sentences for a term or terms of less than six months as penalties for offenses and to enforce payment or satisfaction of fine imposed in misdemeanor cases tried and convicted in the courts of all counties of this state for violations of the criminal laws of this state, where such counties do not now or may not hereafter work their county convicts on the public roads or at other work in such counties, shall be to imprisonment in the county jail for the term or terms of such sentences.

By Mr. Harrison:

H. 552. To Amend an act entitled: "An Act to further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith." (Approved February 18, 1927).

Mr. Scruggs, Chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Walker:

S. 254. To amend Section 5392 of the 1923 Code of Alabama.

By Mr. Powell:

S. 263. To Amend an act entitled, "An Act to authorize and create an additional Judge of the Fifth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, and to provide for the salary of said Judge", as approved September 26th, 1923, General Acts of Alabama, pages 387-388.

Mr. Hildreth, Chairman of the Standing Committee on Constitution and Constitutional Revision Amendments, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time at length and placed on the calendar, to-wit:

By Mr. Sossaman:

H. 572. To provide for and submit to the qualified electors of the State of Alabama, at an election to be held on the first Tuesday after the first Monday of November 1934 which is more than three months after the final adjournment of the present session of the Legislature at which the amendment is proposed, an amendment to the Constitution of Alabama declaring that from and after its adoption the Legislature may by general or local law without prior publication of notice or advertisement, fix, regulate and alter the salary, fees or compensation of any officer holding any civil office of profit under the City of Mobile, and may increase or diminish same during the term for which said officers shall have been elected or ap-

pointed, and that upon the adoption of said amendment the salary of each commissioner of the City of Mobile shall be \$4,000.00 per year until the Legislature shall otherwise fix the salary of said officers.

The above bill was read a second time at length as required by the Constitution.

Mr. Darden, Chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith (Lee), Wallace (Russell):

H. 607. To provide, authorize and direct that all qualified electors who may reside in any territory which has been or may be detached from one County and added to another County of the State, to have their names added to the list of the qualified electors of the County to which they have been added, and direct the method thereof and provide compensation for the same to the Judges of Probate of the several Counties of the State.

By Mr. Culver (with notice and proof):

H. 609. To prohibit the use of steel traps and similar devices in Etowah County, Alabama and prescribe punishment for the violation of this Act.

By Mr. Smith (Lee), Wallace, Clayton:

H. 619. To provide and authorize the State Superintendent of Education of Alabama, and the County Boards of Education of Alabama, to make apportionments of school funds, irrespective of the changes in boundary lines of adjoining counties in the State, provided said apportionments are made upon school census and enumerations which have been made and certified to, as provided by Law, prior to the rearrangement of boundary lines between adjoining counties.

By Mr. Smith (Lee), Wallace, Clayton:

H. 620. To provide that County Commissioners, Boards of Revenue or other like governing bodies of the counties of the State of Alabama, shall have the right and authority to alter and rearrange precinct or beat lines so as to include territory which has been detached from one County and added to an adjoining County of the State, or to create separate beats or precincts and voting districts in said territory which has been or may be added to a County and detached from an adjoining County.

By Mr. Craft (with notice and proof):

S. 247. To repeal an act of the Legislature of Alabama approved March 8th, 1915, entitled "An Act to provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the control of said homes".

By Mr. Craft (with notice and proof) :

S. 246. To establish a Budget and provide for the preparation of a Budget for the Public School System of Mobile County by the Board of School Commissioners of Mobile County; to provide that the appropriations by such Board shall not exceed the income of the Public School System of Mobile County; to classify appropriations to prohibit any official of any institution maintained in whole or in part by the Board of School Commissioners of Mobile County or any department or agency of the Public School System of Mobile County having charge of the disbursements and expenditures of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

By Mr. Craft (with notice and proof) :

S. 248. To repeal an Act of the Legislature of Alabama approved September 2nd, 1927, entitled "An Act to provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof."

By Mr. Craft (with notice and proof) :

S. 249. To repeal an Act of the Legislature of Alabama approved August 16th, 1919, entitled "An Act to amend Section 1, of an Act entitled an Act "Creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

By Mr. Craft (with notice and proof) :

S. 250. To repeal an Act of the Legislature of Alabama approved March 29th, 1915, entitled "An Act creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

By Mr. Craft (with notice and proof) :

S. 251. To repeal an Act of the Legislature of Alabama approved October 1st, 1923, entitled "An Act creating and establishing the Juvenile Court of Mobile County, defining its powers and jurisdiction and providing for the process and procedure of said court, for the equipment of said court, for the judge and officers of said court, their terms of office and their salaries, and defining their duties, and the payment by the Board of Revenue and Road Commissioners of Mobile County of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation

of the probation officers; for the service of process, including warrants, and the fees thereof and the payment of said fees; for the detention of juvenile delinquents; providing for a commission to aid in carrying out the work of the court and prescribing its duties; and providing for appeals from any final order or judgment of said court; (making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency of any child sixteen years of age, or under, or produce, promote, or contribute to the conditions which render any child delinquent, and providing the punishment therefor:) providing for the transfer of certain cases to said Juvenile Court. Providing for the support and maintenance in certain cases of delinquent children by the Board of Revenue and Road Commissioners of Mobile County; providing for the apprehension of such children and the commitment of them to any family, association, or institution; for the transportation of such children and the payment of the costs by Mobile County; providing for the commitment of Juvenile delinquents to any family, association or institution within the State to which they may be respectively committed, and providing for the payment of the costs thereof by the Board of Revenue and Road Commissioners of Mobile County, providing for payment by the City of Mobile, of one-half of the expenses arising out of the operation of said Court; and for the protection of said children against any disqualification or prejudice in any other court, or in the civil service of the state or municipality on account of any judgment or order of said court, or any confession, statement, declaration or admission or silence or demeanor of said Juvenile delinquents, or any statement made to any person or officer of the court, and providing for the repeals of certain laws."

By Mr. Shepherd (with notice and proof):

H. 502. Authorizing and requiring the Board of Revenue of Walker County, Alabama, to pay to Jasper Advertiser the sum of One Hundred Eighty Five and 76/100 (\$185.76) out of the general funds of Walker County, Alabama.

By Mr. Sossaman:

H. 553. To amend an Act entitled "To provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners,

councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government" by re-enacting and amending Section 31 of said Act to provide for the abandonment of commission form of government and the resumption of Aldermanic form of government; to provide for an election of those officers prescribed by the existing general laws of the State relating to municipalities not of the commission government character, the time of holding such election, and the terms of the officers so elected, and to provide for the repeal of all laws in conflict therewith.

By Mr. Sossaman:

H. 42. To repeal an Act of the Legislature of Alabama passed May 29th, 1931 entitled "An Act to authorize cities and towns in this State having a population of more than sixty-seven thousand and under one hundred fifty thousand people according to the last or any subsequent Federal Census to impose, fix and require the payment of a license tax upon dealers engaged in selling non-intoxicating malt extract to consumers and to authorize such cities to require sworn reports of the amount of their sales by all such dealers and to prohibit the engaging in business by such dealers without the payment of such license and to fix and prescribe fines and penalties for doing business as such dealers without the payment of such license and/or for failure to make and file such reports and provide to what purpose the net proceeds of all such license taxes shall be devoted."

By Mr. Sossaman:

H. 38. To repeal an Act of the Legislature of Alabama passed July 2nd, 1931 entitled "An Act providing in all counties in the State of Alabama now having or which may hereafter have a population according to the last Federal census of not less one hundred thousand and not more than one hundred seventy-five thousand, for fees to attorneys appointed by the circuit judge or judges of such counties, to represent persons who have been indicted by the grand jury of such county for the commission of a crime, the maximum penalty for which, under the law, is death, the amount of such fees, and the mode of payment."

By Mr. Sossaman:

H. 43. To repeal an Act of the Legislature of Alabama approved July 20th, 1931 entitled "An Act to authorize the County Commissioners, Board of Revenue, Board of Revenue and Road Commissioners, or any board exercising such jurisdiction in any County in the State of Alabama, having a population of not less than one hundred and five thousand and not more than three hundred thousand according to the last Federal Census, or any succeeding Federal Census, to levy and impose an excise tax of not more than five cents per gallon on all kerosene manufactured, dis-

tributed or sold by any person, firm or corporation in such County, and to provide for the payment and collection of such tax, to provide that all monies for such tax shall be paid into the County Treasury or County Depository, and to be used for road and bridge purposes only in such County; and further to provide for the enforcement of the Act and fixing punishment and penalties for the violation of any of the provisions thereof."

By Mr. Sossaman:

H. 490. To provide for the appointment of Enumerators to take the School Census in all counties having a population of not less than 100,000 and not more than 300,000, according to the last or any subsequent Federal Census, to provide for fixing of their compensation and how said compensation shall be paid.

By Mr. Sossaman (with notice and proof):

H. 436. To repeal an Act passed by the Legislature of Alabama July 25th, 1931 entitled "An Act to validate, ratify and confirm the previous Acts of the Board of Revenue and Road Commissioners of Mobile County or those acting as such when acting or attempting to act for said County."

By Mr. Sossaman (with notice and proof):

H. 437. To relieve all persons of any legal obligations to work on the public roads in Mobile County, Alabama or to pay any money in lieu of such legal obligations to work on the public roads in Mobile County, Alabama.

By Mr. Manasco (with notice and proof):

H. 388. To amend House Bill 841 found on page 295 of the Local Acts of 1923, and approved by the Governor, September 27, 1923, the substance of said bill to be amended is as follows: To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads, bridges and ferries of Walker County, Alabama; to define the duties and powers of the Court of County Commissioners, with regard to the same, and to fix penalties for the violations thereof and to provide for the payment of a per capita tax in lieu of road duty; to provide for the payment of a license or privilege tax on gasoline and to provide for the collection thereof. This bill is to be amended by repealing Sections 17, 18, 19, 20, and 21. Said sections hereby repealed empowered the Court of County Commissioners to provide machinery for the collection of a two cents tax on gasoline, kerosene, and other motor fuels, and Section 17 of said Act levied a local tax of two cents on gasoline, kerosene and other motor fuels. And to provide the time said Act shall go into effect.

By Mr. Sossaman (with notice and proof):

H. 435. To amend an Act entitled "An Act to alter and rearrange the boundaries of the City of Mobile," by repealing Section 4 of said Act.

Mr. Mullins, Chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Beasley (by request):

S. 243. To permit the use, hire or letting of convict labor, state and/or county, for use in the construction or maintenance of drains, outlets for drains and/or reopening of any filled or partly filled drains and/or for the construction or maintenance of any levees in connection with drains, established or constructed now or that may be hereafter established or constructed under the provisions of present or future enacted general laws relating to drainage districts incorporated to promote public health and general welfare; and to provide ways and means of effecting such use, hiring or letting and methods of effecting such results.

Mr. Teasley, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Bonner:

S. 232. To authorize and empower the Board of Revenue or Court of County Commissioners, of each and every county in Alabama to expend an amount not to exceed one-third of the Total amount that may be received by each county from the levy and collection of any tax on gasoline in the payment of any debt that may have been heretofore incurred by such county for the construction and/or maintenance of roads or bridges.

By Mr. McDaniel (with amendment):

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

By Mr. McDaniel (with substitute as amended):

S. 236. To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, The Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," Approved August 25th, 1927.

By Mr. McDaniel (with amendment):

S. 237. To amend an Act entitled "An Act to provide for the maintenance of the Alabama Home for Mental Inferiors," Approved February 3, 1923.

By Mr. McDaniel (with amendment):

S. 238. To amend Section 1463 of the Code of Alabama of 1923.

By Mr. Craft:

S. 258. To fix and impose upon dealers engaged in selling malt or non-intoxicating malt extract in all counties having a population of less than 100,000 nor more than 350,000 inhabitants, according to the last or any subsequent Federal Census, a license tax of thirty per cent of the sales price thereof, and to require all such dealers to file monthly sworn reports of the amount of their sales with the Board of Revenue and Road Commissioners or other governing body of such counties; to prohibit the engaging in business in such counties by such dealers without the payment of such license; to fix and prescribe fines and penalties for doing business as such dealers without the payment of such license or for failure to make and file such reports; to provide for the collection of such license taxes, and to designate to what purpose the net proceeds of all such license taxes shall be devoted.

By Mr. Sanderson:

H. 282. To amend an Act entitled an "Act relating to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney buses, trailers used on the public highways of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama."

By Mr. Taylor:

H. 429. To amend Sections 17, 18, 52, 55, 56, and 60 of the Municipal Bond Code, being an Act of the Legislature of Alabama, approved September 10, 1927, entitled "An Act to provide a Code of laws Authorizing and Governing the Issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act," as heretofore amended.

Mr. Edmundson, Chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Kettler:

H. 260. To amend Section 8277 of the Code of Alabama of 1923.

By Mr. Tate:

H. 591. To provide that all counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census that the work of the probation of convicts shall be declared a County purpose, that the Board of Revenue, County Commission or other governing or like governing bodies of such counties shall be authorized to expend County funds for such purpose and to further provide that such governing bodies in all such counties shall have the power to appoint probation officers and to fix their compensation and to pay the same out of County funds.

By Mr. Bradford of Jefferson:

H. 592. To amend Sections 11 and 15 of an Act entitled "An Act to create the Office of Commissioner of Licenses in all Counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census, to prescribe the duties thereof, define the Powers, fix the Term of Office, the Method of Election of such commission and to provide for the Compensation of said Officer; to provide for the necessary Clerical Assistants in said office and to further provide that each Commissioner of Licenses shall assess for Taxation and collect the Ad Valorem Taxes and issue the Licenses and distribute the Tags on all Motor Vehicles in such Counties and to transfer the Duties from the Tax Assessor, Tax Collector and Probate Judge in such Counties to the Commissioner of Licenses of all Matters relative to the Registration, Assessment for Taxes, Collection of Ad Valorem Taxes and Issuance of Licenses, and Distribution of Tags for Motor Vehicles," approved July 16, 1931.

By Mr. Bradford of Jefferson (with notice and proof):

H. 314. For the relief of Sam Francis Brennan.

By Mr. Bradford of Jefferson (with notice and proof):

H. 359. For the relief of J. W. Faulk.

By Mr. Morrow (with notice and proof):

H. 515. To create and establish an inferior court of criminal and civil jurisdiction for that part of Jefferson County, Alabama, included within Precincts 29, 45, 52 and 53, as now constituted, in lieu of all justices of peace and inferior courts created in said precincts and notaries public ex officio justices of peace within said precincts; to define the jurisdiction and powers of said court; to provide for the judge, clerks and other officers; their appointment, duties and compensation; to provide for a place for holding said court, the terms and salaries of said judge and other officers of said court, and otherwise to provide for said court.

By Mr. Tate (with notice and proof):

H. 365. To regulate the payment of witness fees in Criminal Cases in Jefferson County, Alabama.

By Mr. West:

H. 229. To provide that in all counties in this State having a population of three hundred thousand or more according to the last or any subsequent Federal census the Probate Judges in such counties shall be required to look after, protect against trespassers, and rent any real estate bid in by the State at tax sale and to investigate sales of real estate for taxes and bid in for the State, to notify parties at interest in such real estate, of such sale, to secure redemption or sale of property subject to sale at private sale by the State and to provide that such Probate Judges shall have the powers and perform the duties now or hereafter by law conferred upon or required of land agents in such counties; to require said judges of probate to collect and pay into the county treasury of said counties all costs, fees and commissions authorized by law to be charged for the performances of said services; and to provide that in all of said counties no land agent or other agent shall be appointed to perform any of said duties.

ADVERSE REPORT

Mr. Bonner, Chairman of the Standing Committee on Temperance, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was placed on the adverse calendar, to-wit: By Mr. Mullins:

S. 257. To repeal Sections 4615 to Section 4800, both inclusive, of the Code of Alabama of 1923 and to provide that the sale of any beverage made legal by the Congress of the United States shall be legal in the State of Alabama.

RESOLUTIONS

Mr. Faulk offered the following Joint Resolution:

S. J. R. 80. Be it resolved by the Senate of Alabama the House concurring:

WHEREAS, the United States of America is now undergoing a panic hitherto unprecedented and as a result thereof millions of people are out of work and are suffering from dire want for the very necessities of life;

AND WHEREAS, The Federal Government despite the great increase in taxes levied by the last Congress still faces a heavy deficit;

AND WHEREAS, any increase in Federal Taxes will further retard economic recovery;

AND WHEREAS, the various European countries are indebted to the United States in the amount of several billions of dollars advanced to them to fight an essentially European war;

AND WHEREAS, since the end of the war they have continued to spend vast sums for armament and have displayed a most cyni-

cal attitude toward all efforts to reduce armaments or to the promoting of peace;

AND WHEREAS, certain of these European countries have displayed a most unfriendly attitude to the United States as witnessed by the recent gold run made on the United States;

And Whereas, there is and has been a steady and continued propaganda fostered by the international bankers seeking to save their own investments by cancellation of these just debts;

AND WHEREAS, such cancellation will place the burden of their payment on the tax payers of the United States rather than on those who received the benefit of these loans;

Now therefore, be it resolved, by the Senate of Alabama, the House concurring as follows:

1. That we oppose the cancellation of all war debts.

2. That we decry the continued propaganda to that end.

3. That we respectfully petition the Congress of the United States not to transfer the burden of this debt from the foreign countries from whom it is rightfully due to the people of the United States, and we urge the Congress to refuse to ratify all plans of cancellation concocted by the international bankers or by the representatives of the European countries.

Be it further resolved, that a copy of the foregoing resolution be mailed to the Senators from Alabama and to each of the Congressmen from this State.

And on motion of Mr. Faulk the rules were suspended and the resolution was adopted.

Mr. Craft offered the following Senate Resolution:

S. R. 81. Whereas it has come to the attention of the Senators of Alabama that the State Highway Department has been letting contracts to non-resident contractors and that said contractors in the purchasing of supplies and in the placing of bonds have been showing favoritism to non-resident agents to the detriment of Alabamians who are ready, able and willing to furnish said supplies and bonds:—

Now, therefore, be it resolved by the Senate of Alabama that the State Highway Director be and is hereby requested to announce before the reading of any bids for work upon the State highways, that the successful contractors are requested and urged to buy all supplies, possible within the State of Alabama, and to place their bonds with Alabama agents.

Which was read and referred to the Standing Committee on Rules.

Mr. Jordan offered the following Joint Resolution:

S. J. R. 82. Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again, on Tuesday, October 25th.

And on motion of Mr. Jordan, the rules were suspended and the resolution was adopted.

REPORT FROM RULES COMMITTEE

Mr. Powell, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following Resolution and ordered same returned to the Senate with a favorable report, with the following substitute:

S. J. R. 78. Be it resolved by the Senate, the House concurring that, whereas Athletic Relations between the University of Alabama and the Alabama Polytechnic Institute, both of which are State Institutions, have not been carried on for a period for almost the memory of man; and that, whereas a large majority of the citizens of the State desire that the two said institutions resume their Athletic Relations.

Now Therefore, Be It Resolved by the Senate, the House concurring that a joint committee of five (5) to be composed of two (2) members of the Senate, to be appointed by the President of the Senate, and three (3) members of the House to be appointed by the Speaker of the House, be instructed to confer with the heads of the University of Alabama and the Alabama Polytechnic Institute for the purpose of resuming athletic relations between these institutions.

Be It Further Resolved, that this joint committee make a report to the Legislature before final adjournment of the present session.

And on motion of Mr. Brown, said report was concurred in, said substitute adopted and said Resolution, as thus amended adopted, and the President of the Senate appointed as a Committee on Part of the Senate, Messrs. Brown and Warren.

Also favorably:

H. J. R. 138. Extending the sympathy and condolence of the Legislature to the bereaved family of Lamar Smith, deceased.

And on motion of Mr. Powell, said report was concurred in and the Resolution was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 481. In reference to and to further provide for the general revenue of the State of Alabama.

And the House has concurred in and adopted the Senate amendment to said bill, H. 481, as amended by the Report of the Committee of Conference.

And the House has again passed said bill:

H. 481. In reference to and to further provide for the general Revenue of the State of Alabama.

As amended by the Senate, as amended by the Report of the Committee of Conference.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 82. In reference to and to further provide for the general revenue of the State of Alabama.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 479. To provide for the exemption from taxation of property owned by educational institutions located in the State of Alabama, the income therefrom to be used exclusively for educational purposes.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 1. To further regulate, provide for and require bonds of County officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds where the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds.

Also:

H. 12. To provide for the levy, assessment, payment and collection of an excise tax for the privilege of engaging in the State of Alabama in the business of banking and of conducting a financial business employing moneyed capital coming into competition with the business of National Banks, to provide for the making of returns for assessment of said tax, to prescribe the rate of such tax and the privileges and exemptions secured by its payment, to provide for the distribution of the proceeds of such tax to the State and to the several counties and municipalities of the State, penalties for failure to make such returns and for failure to pay said tax, and to exempt moneyed capital so employed and shares of corpora-

tions and associations which return and pay said excise tax from ad valorem taxation.

Also:

H. 73. In relation to the educational system of Alabama; to make appropriations and provide funds for lengthening the terms of the elementary public schools of the State and to prescribe conditions or apportionment and expenditure of such funds or appropriations.

Also:

H. 82. In reference to and to further provide for the general revenue of the State of Alabama.

Also:

H. 131. For the relief of William H. Winston and Estella Winston both of Clarke County, Alabama, whose son Percy Winston was killed by a crazed inmate of the Alabama insane hospital at Mt. Vernon, Alabama, while the said Percy Winston was in the discharge of his duties as an employee of the State of Alabama at said hospital.

Also:

H. 265. To prescribe the duties and fix the compensation of the Deputy Solicitor for Lamar County, Alabama, and to repeal all laws and parts of laws in conflict with this Act.

Also:

H. 479. To provide for the exemption from taxation of property owned by educational institutions located in the State of Alabama, the income therefrom to be used exclusively for educational purposes.

Also:

H. 481. In reference to and to further provide for the general revenue of the State of Alabama.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 181. To abolish the office of Deputy Solicitor and the office of Assistant Circuit Solicitor in and for the Twenty-third Judicial Circuit composed of Madison County, and to repeal all laws, gen-

eral, special or local, in conflict with the provisions of this Act, insofar as they relate to Madison County, Alabama.

S. 182. To amend an Act, approved April 4, 1911, entitled: "An Act to establish in Precinct One, in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and notaries public with the power of the Justices of the Peace, in said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof," as amended by Local Act of the Legislature of Alabama, approved July 27, 1923, and as amended by Local Act of the Legislature of Alabama, approved March 2, 1931, by amending Section 23 of said amended Act.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and sends same herewith to the Senate:

By Mr. Tidwell:

H. 113. Defining contract carriers and common carriers by motor vehicle not subject to the provisions of the Alabama Motor Carrier Act of 1931; to authorize, regulate and govern the transportation for hire of persons and property on public highways by motor vehicles operated by such contract carriers and common carriers; to authorize, regulate and govern the issuance of permits therefor; to regulate and govern the rates and practices of such carriers; to provide for the payment of fees, and for the payment of excise taxes for the use of the public highways by such contract carriers and common carriers, and to provide for the disposition thereof; to enlarge the powers and duties of the Alabama Public Service Commission and Probate Judges of the State with respect to permits issued to and the regulation and control of such carriers, and to provide for the payment of fees to such Probate Judges; to provide for the appointment of resident agents (upon whom service of process may be had) of such contract carriers and common carriers who may be non-residents of the State; to authorize municipalities in this State to prescribe license taxes to be paid by such contract carriers and common carriers; to prescribe and regulate the practice and procedure before the Alabama Public Service Commission with respect to said carriers, and to authorize and prescribe appeals from rulings with respect to such carriers, and to regulate injunctions and like orders respecting the same; and to provide for the enforcement, and to prescribe punishment and penalties for the violation of this Act.

Also:

By Mr. Morrow:

H. 402. Extending and fixing the time for redemption of real estate from sales occurring subsequent to January 1, 1930 and prior to January 1, 1940, by any incorporated city or town for assessments for public improvements, for four years from the date of such sale and fixing and limiting the rate of interest, fees, penalties and charges to be paid upon redemption.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate Standing Committee as follows:

House Bills 113 and 402 to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. West:

H. 207. To authorize the governing body of all counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census to employ an attorney to be known as the County Attorney and to prescribe the duties of said employee and fix his compensation.

Also:

By Mr. West (with notice and proof):

H. 357. To provide for and further regulate the bailiffs to serve in the Circuit Court of the Tenth Judicial Circuit of Alabama and other courts in Jefferson County, Alabama, to fix the number and the method of appointing said bailiffs, to fix the maximum salaries for said bailiffs and to provide a method for fixing their compensation subject to said maximum salaries and to provide for the payment of their salaries and to repeal all laws and parts of laws, general, local or special, in conflict herewith.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Take notice that at a special session of the Legislature of Alabama called to be held at Montgomery, Ala., commencing on Aug. 16, 1932, a bill, in substance as follows, will be introduced and the passage thereof applied for, namely:

A bill to be entitled

AN ACT

To provide for and further regulate the bailiffs to serve in the Circuit Court of the Tenth Judicial Circuit of Alabama and other courts in Jefferson County, Alabama, to fix the number and the method of appointing said

bailiffs, to fix the maximum salaries for said bailiffs, and to provide a method for fixing their compensation subject to said maximum salaries and to provide for the payment of their salaries and to repeal all laws and parts of laws, general, local or special, in conflict herewith.

Be it enacted by the Legislature of Alabama:

Section 1. Each judge presiding over a civil division of the Circuit Court for the Tenth Judicial Circuit of Alabama is authorized and empowered to appoint one bailiff who shall also act as clerk of such division. Each judge presiding over a criminal division of said court is authorized and empowered to appoint three bailiffs, one of whom to be designated by the judge shall act as clerk of said division. Each judge presiding over a division of said court having both civil and criminal jurisdiction is authorized and empowered to appoint two bailiffs, one of whom to be designated by such judge shall also act as clerk of such division. A majority of the judges of said Circuit Court may select not more than three bailiffs in addition to those hereinabove provided for who shall serve under and subject to the orders of the presiding judge of said court. The County Commission of Jefferson County shall be authorized and empowered to provide a bailiff for any other court in said county, the judge of such court to select such bailiff.

Section 2. The County Commission of Jefferson County, Alabama, is authorized and empowered to fix the compensation of each of the bailiffs hereinabove authorized and provided for, provided, however, that the maximum salary payable to any bailiff to serve in the Circuit Court of the Tenth Judicial Circuit of Alabama shall not exceed the sum of \$150.00 per month, and the maximum salary to be paid to a bailiff in any court other than the Circuit Court of the Tenth Judicial Circuit of Alabama shall not exceed \$100.00 per month, and provided further that the salaries to be paid to said bailiffs in the Circuit Court of the Tenth Judicial Circuit of Alabama shall be paid for the nine months beginning Oct. 1 in each year and ending June 30 in each year, and provided further that said bailiffs in the Circuit Court of the Tenth Judicial Circuit of Alabama may be paid for such time as they may be actually in attendance upon any division of said court engaged in the trial of cases or otherwise transacting the business of said court during the months of July, August and September and for the time actually in such attendance at the same rate fixed for said bailiffs during the period from October 1 to June 30, and provided further that said bailiffs in courts other than the Circuit Court of the Tenth Judicial Circuit of Alabama shall be paid for the time in which they are actually engaged in the discharge of their duties.

Section 3. The salaries of all of such bailiffs shall be paid out of the general funds of the county.

Section 4. All laws and parts of laws, general, local or special, in conflict with this act be and the same are hereby repealed.

Section 5. This act shall go into effect immediately upon its approval.

State of Alabama, }
County of Jefferson. } ss:

On this 9 day of Sept., A.D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State aforesaid, J. H. Capps, who being duly sworn according to law, declares that he is Book Keeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

Aug. 19, 26, Sept. 2, 9th, 1932.

Signed: J. H. CAPPS.

Subscribed and sworn to before me this day, 9 of Sept., A. D. 1932.

W. O. OLIVER,
Notary Public.

(Seal)

Also:

By Mr. Morrow (with notice and proof):

H. 366. To amend Section 3, Section 4 and Section 6 of "An Act to Establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace, in said precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory. To define the jurisdiction and powers of the said court, the Judge, Clerks and other officers thereof; To define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerk and officers of said court, the payment of their salaries and the manner of their appointment and election", Approved July 7, 1927, and to repeal all laws and parts of laws in conflict therewith.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Take notice that at the special session of the Legislature of Alabama called to be held at Montgomery, Ala., commencing on Aug. 16, 1932, a bill in substance as follows will be introduced and its passage applied for, namely: A bill to be entitled

AN ACT

To amend Section 3, Section 4 and Section 6 of "An act to establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precincts, and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory. To define the jurisdiction and powers of the said court, the Judge, Clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerk and officers of said court, the payment of their salaries and the manner of their appointment and election." Approved July 7, 1927, and to repeal all laws and parts of laws in conflict therewith.

Be it enacted by the Legislature of Alabama:

1. That Section 3 of "An act to establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace in said precincts, and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory. To define the jurisdiction and powers of the said court, the Judge, Clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerks and officers of said court, the payment of their salaries and the manner of their appointment and election." Approved July 7, 1927, be and the same is hereby amended so as to read as follows:

Section 3. That the judge of said court shall receive an annual salary of three thousand dollars (\$3,000.00) payable in equal monthly instalments out of the County Treasury of Jefferson County upon warrants drawn upon the County Treasurer in the same manner as warrants are drawn covering the salaries of other county employees.

2. That Section 4 of said act be and the same is hereby amended so as to read as follows:

Section 4. That the County Commission shall appoint a clerk of said court who shall serve at the pleasure of the Commission and who shall give bond in the penal sum of five thousand dollars (\$5,000.00) payable to the State of Alabama, and conditioned to faithfully discharge the duties of his office, which bond shall be approved by and filed in the office of the Judge of Probate of Jefferson County, Alabama; also conditioned to pay over all monies to the proper officers and person to whom it is payable and to faithfully account for all monies coming into his hands by virtue of his office, and upon the said bond there shall be the same liabilities and remedies as upon a bond of a clerk of the Circuit Court; said clerk shall receive a salary of fifteen hundred dollars (\$1,500.00) annually, payable in equal monthly instalments upon warrants drawn upon the County Treasurer in the same manner as warrants are drawn covering the salaries of other county employes. Said clerk to hold office at the will of the judge and may be removed from office at the pleasure of the judge.

3. That Section 6 of said act be and the same is hereby amended so as to read as follows:

Section 6. That the clerk of said court shall appoint a deputy clerk who shall hold office at the will of the clerk and may be removed from office at the pleasure of said clerk. The said deputy clerk shall assist the clerk in the discharge of his duties and shall be under the direction and supervision of the clerk of said court. Said deputy clerk shall receive a salary of twelve hundred dollars (\$1,200.00) annually, payable out of the County Treasury in equal monthly instalments upon warrants drawn in the same manner as warrants are drawn covering the salaries of other county employes.

4. All laws and parts of laws in conflict with said act as herein amended are hereby repealed.

State of Alabama, }
County of Jefferson. } ss:

On this 3 day of Sept., A.D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State aforesaid, J. H. Capps, who being duly sworn according to law, declares that he is Book Keeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

Aug. 13, 20, 27, Sept. 3, 1932.

Signed: J. H. CAPPS.

Subscribed and sworn to before me this day 3 of Sept., A. D., 1932.

W. O. OLIVER,

Notary Public.

(Seal)

Also:

By Mr. Morrow (with notice and proof):

H. 373. To fix the compensation of the County Commissioners of Jefferson County, Alabama, or other like governing body, by whatsoever name it is now or may hereafter be called, and to provide for the payment of the same.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Take notice that at the special session of the Legislature of Alabama called to be held at Montgomery, Ala., commencing on Aug. 16, 1932, a bill

in substance as follows will be introduced and its passage applied for, namely:
A bill to be entitled

AN ACT

To fix the compensation of the County Commissioners of Jefferson County, Alabama, or other like governing body, by whatsoever name it is now or may hereafter be called, and to provide for the payment of the same.
Be it enacted by the Legislature of Alabama:

Section 1. That each member of the County Commission of Jefferson County, Alabama, or other like governing body, by whatsoever name it is now or hereafter may be called, shall receive a salary of Five Thousand Two Hundred (\$5,200.00) Dollars per annum, said salary to be paid out of the county treasury in equal monthly installments.

Section 2. That all laws and parts of laws, general, local or special, in conflict with the provisions of this act be and the same are hereby repealed.

Section 3. This act shall go into effect upon its passage and approval.

State of Alabama, }
County of Jefferson. } ss:

On this 3 day of Sept., A.D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State aforesaid, J. H. Capps, who being duly sworn according to law, declares that he is Book Keeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

Aug. 13, 20, 27, Sept. 3, 1932.

Signed: J. H. CAPPS.

Subscribed and sworn to before me this day 3 of Sept., A. D., 1932.

W. O. OLIVER,
Notary Public.

(Seal)

Also:

By Mr. Green:

H. 407. To amend Section 1 of an Act entitled "an Act, to provide for the election of a Solicitor for each Judicial Circuit in the State and to fix his compensation and to authorize the appointment or election of deputy solicitors and assistant solicitors, prescribe their duties and authority and fix their compensation," approved September 25th, 1915.

Also:

By Mr. Green (notice and proof):

H. 408. To repeal an Act entitled, "An Act to further regulate the jurisdiction of Justices of the Peace in Counties having a population of Three Hundred Thousand or more according to the last or any subsequent Federal census," approved July 20, 1931.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

TO WHOM IT MAY CONCERN.

Take notice that a special session of the Legislature of Alabama called to be held at Montgomery, Ala., commencing on Aug. 16, 1932, a bill, in substance as follows, will be introduced and the passage thereof applied for, namely:

A BILL
TO BE ENTITLED
AN ACT

To repeal an Act entitled, "An Act to further regulate the jurisdiction of Justices of the Peace in Counties having a population of Three Hundred Thousand or more according to the last or any subsequent Federal census," approved July 20, 1931.

Be it Enacted by the Legislature of Alabama:

Section 1. That an Act entitled, "An Act to further regulate the jurisdiction of Justices of the Peace in Counties having a population of Three Hundred Thousand or more according to the last or any subsequent Federal census," approved July 20, 1931, be and the same is hereby repealed.

AFFIDAVIT

State of Alabama, }
County of Jefferson. }

Personally appeared before me, the undersigned authority, Geo. M. Howle, who first being duly sworn by me, deposes and says on oath that he is the Publisher of The Weekly Call, a weekly newspaper published in said State and County, and that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for four consecutive weeks, commencing on the 20th day of August, 1932.

GEO. M. HOWLE,
Publisher of The Weekly Call.

Sworn to and subscribed before me on this 10th day of September, 1932.

CLARICE BACHUS,
Notary Public.

Also:

By Mr. Morrow (notice and proof):

H. 512. To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualifications of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such board.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Notice is hereby given that a bill in substance as follows will be introduced in the Legislature of Alabama at its Special Session which convened in Montgomery on the 16th day of August, 1932, and application made for its passage:

A bill to be entitled

AN ACT

To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and

provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualifications of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such Board.

Be it Enacted by the Legislature of Alabama:

Section 1. That a Jury Board be and the same is hereby established in Jefferson County.

Section 2. That such Jury Board shall be composed of three members who shall be qualified electors of Jefferson County and shall be men reputed for their fairness, impartiality, integrity and good judgment. Members of the Board shall not during the term for which they are appointed and during their tenure in said office hold any other office by appointment or election or perform any other public duty under the state, county or municipal government, which carries with it any compensation whatsoever.

Section 3. That upon the passage of this act and its approval by the Governor, the present members of the Jury Board of Jefferson County, namely, John Angwin, John H. Frye and James J. Smith, shall be and are hereby appointed members of the Jury Board provided herein, whose terms of office shall be as follows and until their successors are appointed and qualified: John Angwin shall hold office until the first Monday after the second Tuesday in January, 1933; John H. Frye shall hold office until the same day in 1934, and James J. Smith shall hold office until the same day in 1935. Upon the expiration of each of these terms the Governor shall appoint successors who shall hold office for three years from the expiration of the term of office of their respective predecessors.

Section 4. The members of the Jury Board shall elect one of their number President of the Board. Any two members of the Board shall be a quorum for the transaction of business. Every member of the Board before entering upon the discharge of his duties must take the oath of office prescribed by Section 279 of the Constitution and must be commissioned by the Governor.

Section 5. Each member of the Jury Board shall be paid the sum of fifty (\$50.00) dollars per month, to be paid monthly out of the County Treasury.

Section 6. In the event that two of the Jury Board are absent from the State, sick, or for any reason cannot discharge the duties imposed upon them by this article, then the other member of the Board shall notify any judge of a court of record residing in the County to appear and take the place of the absent members and in such case one judge and one member shall constitute a quorum. If no such judge is present or able to serve, the other member must immediately notify the Governor, who shall appoint competent persons to act as members of the Board until the regular members are present and able to discharge their duties.

Section 7. Should any member of the Board become disqualified under the provisions of this Act, the fact of such disqualification and the ground or reason therefor shall be certified to the Governor by the presiding judge of the Circuit Court of the county, and when so certified his office shall become vacant and the Governor shall appoint his successor to fill out the unexpired term. In case of any vacancy from any other cause in the office of a member of the Board, the Governor shall appoint a member to fill such vacancy who shall hold office for the unexpired term.

Section 8. The Jury Board may employ such clerical or other assistants and incur such other expense as may be needful and necessary for the proper discharge of the duties of their office, the expense of which shall be a proper charge against the County Treasury. The County Commission or other like governing body of the County shall fix the number and compensation of the

clerks employed in the office of the Jury Board and such clerks shall be appointed by the Jury Board and must give such time to the performance of such duties as may be required by the Jury Board. The Jury Board may, at any time, discharge any clerk employed by it and employ another under the provisions hereof.

Section 9. Every clerk of the Jury Board before entering upon the discharge of his duties under this Act, must take and subscribe the oath of office prescribed by Section 279 of the Constitution and file the same for record in the Probate Office of the County.

Section 10. Any member of the Jury Board or clerk thereof who wilfully neglects to perform any duty imposed upon him by this Act, or any person who, being duly summoned to attend before the Jury Board, wilfully fails to do so, or attending, refuses to testify, shall be guilty of a misdemeanor.

Section 11. The Clerk of the Jury Board shall, under the direction of the Jury Board, obtain the name of every male citizen of the County, over twenty-one and under sixty-five years of age, and his occupation, place of residence and place of business, and shall perform all such other duties required of him by law under the direction of the Jury Board.

Section 12. Unless sooner required under the provisions of this act, the Jury Board shall meet in the County Court House, in Birmingham, on the last Tuesday in August, 1933, and on said day each two years thereafter, make in a well-bound book a roll containing the name of every male citizen living in the County who possesses the qualifications herein prescribed and who is not exempted by law from serving on juries. The roll shall be arranged alphabetically and by precincts in their numerical order and the Jury Board shall cause to be written on the roll opposite every name placed thereon the occupation, residence and place of business of every person selected, and if the residence has a street number, it must be given. Upon the completion of the roll the Jury Board shall cause to be prepared plain white cards, all of the same size and texture, and shall have written or printed on the cards the name, occupation, place of residence and place of business of the person whose name has been placed on the jury roll; writing or printing but one person's name, occupation, place of residence and of business on one card. These cards shall be placed in a substantial metal box provided with a lock and two keys, which box shall be kept in a safe or vault in the office of the Probate Judge, and if there be none in that office, the Jury Board shall deposit it in any safe or vault in the Court House to be designated on the minutes of the Board, and one of said keys thereof shall be kept by the President of the Jury Board. The other of said keys shall be kept by the Presiding Judge of the Circuit Court for the sole use of the judges of the courts of said County needing jurors. The jury roll shall be kept securely and for the use of the Jury Board exclusively. It shall not be inspected by any one except the members of the Board or by the Clerk of the Board upon the authority of the Board, unless under an order of a judge of the Circuit Court or other court of record having jurisdiction.

Section 13. Unless sooner required under the provisions of this Act, the jury box now in use in the County shall continue to be used until the last Tuesday in August, 1933, at which time and on the same day each two years thereafter the Jury Board shall proceed to refill the box in the manner prescribed in this Act.

Section 14. The Jury Board shall place on the jury roll and in the jury box the names of all male citizens of the County who are generally reputed to be honest and intelligent men and are esteemed in the community for their integrity, good character and sound judgment; but no person must be selected who is under twenty-one or over sixty-five years of age or who is an habitual drunkard, or who, being afflicted with a permanent disease or physical weakness, is unfit to discharge the duties of a juror; or cannot read English or

who has ever been convicted of any offense involving moral turpitude. If a person cannot read English, and has all the other qualifications prescribed herein and is a freeholder or householder, his name may be placed on the jury roll and in the jury box.

Section 15. The Jury Board is charged with the duty of seeing that the name of every person possessing the qualifications prescribed by this Act to serve as a juror and not exempted by law from jury duty, is placed on the jury roll and in the jury box, and they may summon and cause to attend before them any person residing within the County and examine him on oath touching the name, residence, occupation and qualification of any person residing in the County, and they may require the production of any books, papers or documents and generally to do and perform whatever acts necessary to establish to their satisfaction that the jury roll conforms to all legal requirements. The Jury Board must not allow initials only to be used for a juror's name, but one full Christian name, or given name, shall in every case be used and in case there are two or more persons of the same or similar name, the name by which he is commonly distinguished from the other persons of the same or similar name shall also be entered as well as his true name. The Jury Board shall require the clerk of the Board to scan the registration lists and lists returned to the tax assessor, any city directory, telephone directories, and any and every other sources of information from which he may obtain information, and to visit every precinct at least once a year to enable the Jury Board to properly perform the duties required of it by this Act.

Section 16. The Jury Board shall have performed the duties required of it by law when they have prepared a jury roll and filled a jury box otherwise in compliance with the law, consisting of the names of qualified jurors in number equal to at least six per cent of the population of said County in accordance with the latest Federal Census, and having prepared said roll and filled such box with said number of jurors, said Jury Board shall not be deemed or held to be guilty of wilful neglect of duty nor be guilty of a misdemeanor.

Section 17. Whenever the names in the jury box are exhausted or so far depleted that they will probably be exhausted at the next drawing of jurors, the Jury Board must proceed to make and certify a new roll and deposit the names in the box in all respects as provided in this Act, and for this purpose, the Jury Board must meet whenever it is necessary and refill the jury box.

Section 18. Whenever it shall appear to the Presiding Judge of the Circuit Court or court of like jurisdiction that the jury box is so nearly exhausted as to require refilling, he shall notify the President of the Jury Board, whereupon the Jury Board shall proceed to refill the box as herein provided.

Section 19. For any court requiring grand and petit juries, or petit juries, and now or hereafter established for and held in a territorial subdivision of the County the Jury Board shall make and keep a separate roll and make and refill a separate box for that court and territorial subdivision as provided by this Act, on which roll and in which box only the names of jurors residing in that territory shall be placed, which box shall be kept by the clerk of said court and the key thereof by the judge of said court, and all jurors for that court shall be drawn by the judge of said court as provided in this Act from the separate jury box provided under this section, and shall be summoned as provided in this Act for summoning jurors otherwise drawn. The names of jurors whose names are required to be placed on the roll and in the box in this section provided for, shall not be placed on any other roll nor in any other box nor shall any such person be authorized or required to serve as a juror in any court outside of said territorial subdivision. If there is more than one court requiring grand and petit juries, or petit juries, established for and held in such territorial subdivision of the County, all of such courts shall procure their juries from the box in this section provided for, and this section is in-

tended to apply to any division of a court that is held in such territorial subdivisions, including the Probate Court. The preparation of a separate jury roll and the filling and refilling of a separate jury box as provided in this section shall be governed in all respects, in so far as applicable by the same rules and regulations as are prescribed in this act for the jury roll and the jury box used outside of such territorial subdivision of the County. In ascertaining the number of qualified jurors equal to six per cent of the population of such territorial subdivision, the Jury Board may consider the latest public school census of such subdivision and any other authentic data on the subject.

Section 20. That all notices of the requirement of the attendance for jury service shall be served by registered mail and it shall be the duty of the sheriff of Jefferson County to enclose the summons in an envelope addressed to the person to be served and place all necessary postage thereon and demand a return receipt. That when a return receipt signed by the addressee is returned to the sheriff by the Post Office Department of the United States, the sheriff shall thereupon mark the process executed and it shall be considered for all purposes as sufficient personal and legal service. In the event said jury summons so mailed should be returned to the sheriff by the Post Office Department of the United States without delivery to the addressee, then the sheriff shall immediately make every effort to personally serve said summons. This section, however, shall not apply to jury summons returnable before the court instantan, but such summonses shall be personally served by the sheriff or his deputy.

Section 21. The County Commission or other like governing body of the County shall, upon the request of the President of the Board, purchase the necessary books in which to keep the jury rolls and the record of the proceedings, and the necessary cards, stationery and things of all kinds required by the Board and shall draw its warrant on the County Treasury for the payment of the same.

Section 22. The clerks of the several courts in which juries are empaneled shall, from time to time as the juries are empaneled, certify to the Jury Board the names of all persons so empaneled, and the clerk of the Board, under the direction of the Board, shall note opposite the names of such persons on the jury roll the date on which and the court in which they were empaneled.

Section 23. The clerks of the several courts shall also certify to the Jury Board the names of all persons who have been found by the court to be disqualified or exempt, which fact shall be noted opposite their respective names on the jury roll.

Section 24. Any authority, right, power and duty heretofore imposed by law on the Jury Board of the County or the clerk thereof, and which is not by this Act specifically repealed, shall hereafter be exercised, or performed by the Jury Board or the clerk thereof, respectively.

Section 25. That all laws, general or local, in conflict with any of the provisions of this Act be and the same are hereby repealed, it being the intent of the Legislature that the subjects covered by this Act be the exclusive law on such subjects in Jefferson County.

Section 26. That in the event any section, clause or provision of this Act shall be declared invalid or unconstitutional, it shall not be held to affect any other section, clause, or provision of this Act, but the same shall remain in full force and effect.

Section 27. That this Act shall take effect immediately upon its passage and approval by the Governor.

State of Alabama, }
County of Jefferson. } ss:

On this 14th day of Sept., A. D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State aforesaid, J. H. Capps, who being duly sworn according to law, declares that he is

Book Keeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

Aug. 24-31, Sept. 7-14, 1932.

Signed J. H. CAPPS.

Subscribed and sworn to before me this day, 14th of Sept., A. D., 1932.

(Seal)

W. O. OLIVER,
Notary Public.

Also:

By Mr. Morrow (notice and proof):

H. 513. To further define, prescribe and limit the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatsoever name said governing body may now or hereafter be called.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Take notice that at a special session of the Legislature of Alabama called to be held at Montgomery, Alabama, commencing on August 16th, 1932, a bill, in substance as follows, will be introduced and the passage thereof applied for, namely:

A bill to be entitled

AN ACT

To further define, prescribe and limit the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatsoever name said governing body may now or hereafter be called.

Be it enacted by the Legislature of Alabama:

Section 1. The words "County Commission" or "Commission," wherever used in this Act, shall be held to mean and include the County Commission or Board of Revenue or other governing body of Jefferson County heretofore or hereafter created and by whatever name said governing body may now or hereafter be called.

Section 2. The County Commission of Jefferson County shall have power and authority from time to time, and as often as it may be deemed by it to be necessary or advisable, to fix, alter and change the number of employees, including clerks, deputies, wardens, assistants, agents and all other employees by whatsoever name called, in each and every court in said county and each and every department of the county government and each and every office in said county where said employees are paid out of the county treasury and where the number of employees is not fixed or prescribed by this act or by law enacted subsequent to August 1, 1932, subject to the conditions and limitations hereinafter set out; and subject to the limitations and provisions hereinafter set out to fix, alter and change from time to time the compensation of each and every such employee, provided, however, that where the maximum compensation is fixed by this act, or by law enacted subsequent to August 1, 1932, for the clerks, deputies, bailiffs, wardens, assistants or other employees in any court or office in said county or in any department of the county government, the County Commission shall have the right to fix, alter and change the compensation of such clerks, deputies, wardens, bailiffs, assistants or other employees, but shall in no case fix the salary for such clerks, deputies, wardens, assistants, bailiffs, agents or other employees in excess of the maximum salary provided for herein or in such laws enacted subsequent to August 1, 1932; and, provided further that the Register of the Circuit Court of the Tenth

Judicial Circuit of Alabama and all county officers who are required by law to be elected by a vote of the people shall have the right to select and to discharge at will those clerks, deputies, bailiffs, wardens, assistants or other employees working in their departments or coming under the control and supervision of such officers.

Section 3. That the County Commission may employ a clerk to the County Commission and may fix his salary at a sum not to exceed three thousand (\$3,000.00) dollars per annum, and said Commission shall not fix the salary for any other clerk or employee in the office of said Commission at a sum to exceed two thousand four hundred (\$2,400.00) dollars per annum; provided, however, that the said commission may employ a purchasing agent and may fix the salary of said purchasing agent at such sum as the Commission deems commensurate with his services.

Section 4. That the County Commission shall not fix a salary in excess of two thousand four hundred (\$2,400.00) dollars per annum for any clerk, deputy clerk or other employee in the office or department of the Sheriff, the Probate Judge or Probate Court, the Commissioner of Licenses, the Board of Registrars, the Tax Assessor, the Tax Collector, the Treasurer, the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama, the Clerk of the Circuit Court of the Tenth Judicial Circuit of Alabama, the Deputy Clerk of the Criminal Division of the Circuit Court of the Tenth Judicial Circuit of Alabama, or the Deputy Clerk of that branch of the Circuit Court of the Tenth Judicial Circuit of Alabama sitting at Bessemer.

Section 5. That the County Commission shall not fix a compensation or salary in excess of two thousand four hundred (\$2,400.00) dollars per annum for any county employee employed in the county garage, county shop or county home or alms house.

Section 6. That the County Commission shall not fix a salary in excess of two thousand four hundred (\$2,400.00) dollars per annum for the superintendent in charge of the maintenance of the county court house or for any other county employee employed in and about the maintenance of the county court house.

Section 7. That the County Commission may fix a salary not exceeding three thousand three hundred (\$3,300.00) dollars per annum for the engineer or superintendent in charge of the county engineering department, and may fix the salary for one assistant engineer in said department at a sum not to exceed three thousand (\$3,000.00) dollars per annum, and shall not fix a salary in excess of two thousand four hundred (\$2,400.00) dollars per annum for any other assistant or employee in said engineering department. This section shall not apply to the Sanitary Engineering Department.

Section 8. That the County Commission shall not fix a salary in excess of one thousand eight hundred (\$1,800.00) dollars per annum for any clerk or deputy clerk of the Municipal Court of Birmingham or other court in lieu of the Municipal Court of Birmingham.

Section 9. That so long as the county convicts of Jefferson County are maintained and worked by said county said Commission may employ a warden for each convict camp and may fix his salary at a sum not to exceed one thousand eight hundred (\$1,800.00) dollars per annum, and may employ such deputy wardens, guards and truck drivers as may be necessary in said convict department and may fix the compensation of each of said deputy wardens, guards and truck drivers at a sum not to exceed one thousand two hundred (\$1,200.00) dollars per annum.

Section 10. That the County Commission may fix the compensation of the superintendent of the Hillman Hospital at a sum not to exceed four thousand eight hundred (\$4,800.00) dollars per annum, and shall not fix a compensation in excess of two thousand four hundred (\$2,400.00) dollars per annum for any other employee in said hospital.

Section 11. That the County Commission shall not fix a compensation in excess of one thousand five hundred (\$1,500.00) dollars per annum for any clerk or employee in the office of the Jury Board of said county.

Section 12. That the County Commission shall not fix a salary or compensation in excess of two thousand seven hundred (\$2,700.00) dollars per annum for any court reporter paid out of the county treasury and regularly employed in the Criminal Divisions of the Circuit Court of the Tenth Judicial Circuit of Alabama.

Section 13. That whenever professional or expert services are required for any extraordinary or unusual legitimate county business the County Commission may contract for said services and may fix the compensation therefor.

Section 14. That the County Commission is authorized and empowered to arrange for necessary transportation incident to the performance of all county business or affairs, and for this purpose may purchase automobiles, trucks or other vehicles, or may contract with persons, firms or corporations to furnish such transportation and or may appropriate from time to time out of the county treasury funds to pay or reimburse county employees who from time to time furnish or are required to furnish their own transportation.

Section 15. That the County Commission of said county shall have the power and authority to pay the salary of any county employee or employees out of any county funds which it may deem proper, in such manner as said Commission may provide.

Section 16. That the property of said county of every nature, character and description, whether real, personal or mixed, shall be under the supervision and control of the County Commission, who shall exercise the power to sell, lease, regulate and define the use thereof, and may make such rules and regulations as it may deem prudent and expedient for the care, protection and use of such property.

Section 17. That the County Commission of said county shall from year to year fix the amount of the official bonds of all county officers, and each county officer shall file with the Judge of Probate of such county each year an official bond conditioned as provided by law for the faithful performance of their respective duties and with surety or sureties approved by said Judge. Said County Commission may, in the exercise of its discretion, require of all county employees handling public funds that they shall each year enter into a bond in an amount to be fixed by the County Commission for the faithful performance of their duties and the proper accounting of all public moneys coming into their hands. Such bonds shall be filed with the Probate Judge and shall have surety or sureties approved by him. That the premium on all such bonds of both officers and employees shall be payable out of the funds of the county.

Section 18. That as soon as practicable after the first day of October and the first day of April of each year the County Commission shall cause to be published in a daily newspaper in general circulation in said county a financial statement showing receipts and disbursements of all county departments, and shall also publish at the same time a list of the names of all persons drawing a salary from the county treasury, together with the amount of salary paid to each, and shall each month cause a list of the names of all persons drawing a salary from the county, together with the amount of salary paid to each during the previous month, to be posted at a conspicuous place in the Birmingham courthouse of said county.

Section 19. That the County Commission of said county shall maintain offices and hold meetings and transact the business at the places now provided by law, or that may hereafter be provided by law for such governing bodies of said county, and may at the discretion of the Commission hold meetings at other places in such county for the purpose of public hearings only.

Section 20. That said Commission may at its discretion pay out of county funds the traveling or other expenses of any county officer or employee when

such officer or employe creates such expense under the order or direction of such Commission.

Section 21. The said County Commission shall be authorized and empowered in its discretion to employ on a percentage or commission basis persons, firms or corporations to collect sums of money due or alleged to be due to the said County consisting of unpaid court costs or other moneys.

Section 22. That should any section or clause of this act be declared unconstitutional it shall not affect any other provision, section or clause thereof not in and of itself unconstitutional.

Section 23. That all laws or parts of laws, general, local or special, in conflict with the provisions of this act are hereby expressly repealed.

Section 24. This Act shall become effective immediately upon its approval by the governor.

State of Alabama, }
County of Jefferson. } ss:

On this 14th day of Sept., A. D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State aforesaid, J. H. Capps, who being duly sworn according to law, declares that he is Book Keeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

Aug. 24-31, Sept. 7-14, 1932.

Signed J. H. CAPPS.

Subscribed and sworn to before me this day, 14th of Sept., A. D., 1932.
(Seal)

W. O. OLIVER,
Notary Public.

Also:

By Mr. Morrow (notice and proof):

H. 514. To recreate the office of Coroner of Jefferson County, Alabama, to define the duties of the coroner, to fix his qualifications and term of office, to provide for his election or appointment, to fix his compensation and provide for the payment of same, to provide for clerical and other assistants to such coroner and the method for their selection, to provide for the payment for such assistants and the expenses of such officer and his assistants, to define the duties of the County Commission or other like governing body of the County with respect to such coroner, his assistants and such office, and to repeal all laws or parts of laws in conflict with this Act.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Take notice that at a special session of the Legislature of Alabama called to be held at Montgomery, Alabama, commencing on August 16th, 1932, a bill in substance as follows, will be introduced and the passage thereof applied for, namely:

A bill to be entitled

AN ACT

To recreate the office of Coroner of Jefferson County, Alabama, to define the duties of the coroner, to fix his qualifications and term of office, to provide for his election or appointment, to fix his compensation and provide for

the payment of same, to provide for clerical and other assistants to such coroner and the method for their selection, to provide for the payment for such assistants and the expenses of such officer and his assistants, to define the duties of the County Commission or other like governing body of the county with respect to such coroner, his assistants and such office, and to repeal all laws or parts of laws in conflict with this act.

Be it enacted by the Legislature of Alabama:

Section 1. That the office of Coroner of Jefferson County, Alabama, is hereby reestablished and recreated. Any qualified elector of the county shall be eligible for said office. Such coroner shall have all the powers and perform all the duties now prescribed by the laws of the state for coroners.

Section 2. That the compensation of the Coroner of Jefferson County shall be a salary in the sum of three thousand dollars (\$3,000.00) per annum payable in equal monthly installments out of the county treasury.

Section 3. That J. D. Russum shall hold the office of coroner of said county and serve as such until the first Monday in January after the general election in the year 1934 and until his successor is elected and qualified. At the general election in the year 1934 and every four years thereafter there shall be elected a coroner of said county who shall serve for a term of four years and until his successor is elected and qualified, the term of such officer to begin on the first Monday in January following his election. Vacancies in the office of coroner of said county shall be filled by appointment of the governor, and the person appointed shall hold office for the unexpired term and until his successor is elected and qualified.

Section 4. That the County Commission or other like governing body of the county may in its discretion provide for an assistant to the coroner to serve at Bessemer and surrounding territory, and fix his compensation payable out of the county treasury at a sum not exceeding \$100.00 per month, such assistant to be appointed by the coroner to serve at his pleasure.

Section 5. That such coroner shall have authority to employ a stenographer and remove such stenographer at will, the salary of such stenographer to be paid out of the county treasury, and to be such sum as may be fixed by the County Commission or other like governing body of the county, but such salary shall not exceed \$125.00 per month.

Section 6. That the County Commission or other like governing body of the county shall provide for suitable books, stationery, stamps, a suitable office and office furniture and equipment and traveling expenses for such coroner, and his assistant and stenographer, if any, in going to and returning from the place of holding any inquest or performing any other duties of such office, all such expenses to be paid by the county.

Section 7. That all laws and parts of laws in conflict with this Act are hereby repealed.

State of Alabama, }
County of Jefferson. } ss:

On this 14th day of Sept., A. D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State aforesaid, J. H. Capps, who being duly sworn according to law, declares that he is Book Keeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

Aug. 24-31, Sept. 7-14, 1932.

Signed J. H. CAPPS.
Subscribed and sworn to before me this day, 14th of Sept., A. D., 1932.
(Seal) W. O. OLIVER,
Notary Public.

Also:

By Mr. Morrow:

H. 520. To amend Section 19 of an Act entitled "An Act to establish an Inferior Court of Record in all Counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to provide officers therefor and to fix their qualifications, powers, duties and compensation; to prescribe the practice and the procedure therein and the way, manner and method of appeals therefrom", approved July 20th, 1931.

Also:

By Mr. Green:

H. 541. To amend Section Three of an Act entitled an act in reference to and to further provide for the general revenues of the State of Alabama approved August 22, 1923.

Also:

By Mr. Bradford of Jefferson:

H. 547. To amend Section 14 of an Act of the Legislature of Alabama entitled, "An Act to establish an Inferior Court of Record in all counties in this state having a population of Three Hundred Thousand (300,000) or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to prescribe the practice and the procedure therein and the way, manner and method of appeals therefrom." Approved July 20th, 1931.

Also:

By Mr. Morrow (with notice and proof):

H. 563. To provide for the payment of the costs of advertisements of the sales of personal and real property in newspapers, as is provided for by Sections 7824, 7825, et. seq. of the Code of Alabama of 1923, in all counties of the State of Alabama having a population of 300,000, or more, according to the last or any subsequent federal census; and to provide for the method of payment of such costs of advertisements.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given that the following bill will be introduced in the Legislature at its Special Session beginning August 16, 1932, and its passage applied for:

A BILL TO BE ENTITLED AN ACT

To provide for the payment of the costs of advertisement of the sales of personal and real property in newspapers, as is provided for by Section 7824, 7825, et seq. of the Code of Alabama of 1923, in all counties of the State of Alabama having a population of 300,000 or more, according to the last or any subsequent federal census; and to provide for the method of payment of such costs of advertisements.

Be It Enacted by the Legislature of Alabama:

Section 1. That in all counties of the State of Alabama having a population of Three Hundred Thousand, or more, according to the last or any subsequent federal census, where sales are made as is provided for by Sections 7824, 7825, et seq. of the Code of Alabama of 1923, and advertisements of such sales have been made in newspapers, as is provided by said section 7825 of the Code, and at such sales the County buys in the property so advertised, or becomes the purchaser of such property at such sales, that the reasonable costs of such advertisements of such sales in newspapers, as is provided by said section of the Code, shall be paid to the publishers, or owners, of the newspapers in which said advertisements shall have been made by the County so buying in or so purchasing said property.

Section 2. That this act shall be in force and effect from and after its passage and approval.

AFFIDAVIT

State of Alabama }
County of Jefferson }

Before me, the undersigned authority, in and for the County and State, aforesaid, personally appeared Geo. M. Howle, who first being duly sworn says that he is the Publisher of the Weekly Call, a weekly newspaper published in said State and County; that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for five consecutive weeks, commencing on the 3rd day of September, 1932.

GEO. M. HOWLE,
Publisher of The Weekly Call.

Sworn to before me, and signed in my presence, this the 1st day of October, 1932.

CLARICE BACHUS,
Notary Public.

Also:

By Mr. Morrow:

H. 569. To license and regulate the business of making loans, in sums of One Hundred Dollars or less, secured or unsecured, in all counties in this state having a population of Two Hundred Thousand or more, according to the last or any subsequent Federal census, to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation of the provisions of this Act, to make usurious contracts unenforceable except as to the principal and to declare all usurious contracts voidable as to interest; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this act shall take effect and to provide that if any section or provision of this act being held unconstitutional shall not effect the validity of any other section or provision.

Also:

By Mr. Robinson (notice and proof):

H. 589. To authorize and direct the County Commission, Board of Revenue, or other like governing body of Jefferson County to draw or cause to be drawn a warrant on the County Treasurer of Jefferson County, Alabama in favor of John Samuel Hines for the sum of \$1,000 covering actual loss sustained by said John Samuel Hines as a direct and unavoidable result of the performance of his duties as a deputy sheriff in and for said County of Jefferson in the

State of Alabama, to direct and require the Treasurer of Jefferson County to pay such warrant out of any money in the treasury not otherwise appropriated, and to provide that this act shall take effect immediately upon approval by the governor.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF A PROPOSED LOCAL ACT

To whom it may concern:

Take notice that there will be introduced in the legislature of Alabama at the Special session, beginning August 16th, 1932, a Bill in words and figures as follows, which Bill, the legislature will be requested to pass:

A BILL FOR THE RELIEF OF JOHN SAMUEL HINES

1. That the Board of Revenue of Jefferson County, is hereby authorized and directed to draw or cause to be drawn, a warrant on the County Treasurer of Jefferson County, in favor of John Samuel Hines for the sum of \$5,150.00 covering actual loss sustained by said John Samuel Hines, as a direct and unavoidable result of the performance of his duties as a deputy sheriff in and for said County of Jefferson in the State of Alabama. And the treasurer of Jefferson County is hereby directed and required to pay such warrant out of any money in the treasury not otherwise appropriated.

2. This act shall take effect immediately upon approval by the Governor.

AFFIDAVIT OF PUBLICATION

State of Alabama }
Jefferson County }

Personally appeared before me, a notary public, in and for said State and County,

MARY E. WHEELER

who, after being duly cautioned and sworn, depose and says as follows:
That she is the

PUBLISHER

of The Birmingham Messenger, a weekly newspaper, published in the State of Alabama, County of Jefferson, City of Birmingham, and that a legal notice was published for four (4) consecutive weeks in the above-named paper, copy of which advertisement is hereto attached.

MARY E. WHEELER.
ROBERT J. WHEELER,
Notary Public.

This the 3rd day of September, 1932.
(Seal)

Also:

By Mr. Robinson:

H. 594. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue, or other governing body, of counties having a population of more than Two Hundred Thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio

services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid."

Also:

By Mr. Barber (notice and proof):

H. 596. To further define the powers and duties of the County Commission, or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

With notice and proof thereto attached and herewith exhibited as follows:

TO WHOM IT MAY CONCERN:

Take notice that at a special session of the Legislature of Alabama called to be held at Montgomery, Ala., commencing on August 16, 1932, a bill, in substance as follows, will be introduced and the passage thereof applied for, namely:

A bill to be entitled

AN ACT

To further define the powers and duties of the County Commission, or other governing body of Jefferson County, Alabama, by whatsoever name said governing body may now or hereafter be called.

Be it Enacted by the Legislature of Alabama:

Section 1. The words "County Commission" or "Commission," wherever used in this Act shall be held to mean and include the County Commission, or Board of Revenue, or other governing body of Jefferson County heretofore or hereafter created, and by whatever name said governing body may now or hereafter be called.

Section 2. The County Commission of Jefferson County shall have power and authority from time to time, and as often as may be deemed by it to be necessary or advisable, to fix, alter and change the number of employes, including clerks, deputies, assistants, agents and all other employes by whatsoever name called, in each and every court in said county, and in each and every department of the county government, and in each and every office in said county wherein said agents, clerks, deputies and other employes are paid out of the County Treasury; and to fix, alter and change from time to time the compensation of each and every such agent, clerk, deputy and other employe; provided, however, that the head of each county department or office and the several judges of the courts shall have the right, respectively, to select and discharge those clerks, deputies, assistants, agents and other employes working in the office, department or court of such department head or judge, or coming under their control and supervision; provided nevertheless that this Act shall not apply to or affect the status of court bailiffs serving any of the judges of the Circuit Court of the Tenth Judicial Circuit of Alabama.

Section 3. As soon as practicable after the approval of this Act, the said County Commission shall, by resolution spread upon its minutes, designate or fix the number of clerks, deputies, assistants, agents and other employes for each office, court or department of said county government, as herein provided, and shall fix the salary or compensation to be paid to each of said clerks, deputies, assistants, agents and other employes, and shall forthwith certify to each office, officer, court or department the number of such clerks, deputies, assistants, agents and other employes so designated to serve in such office, court or department, together with the salary or compensation fixed by said Commission for each such clerk, deputy, assistant, agent and other

employee; and upon said Commission making any change in the number and, or, compensation of any such employee from time to time thereafter, such change shall be promptly certified to the proper office, officer, court or department affected thereby, and shall become effective when and as stated in the resolution making such change. Upon receipt of such certificate, the office court or head of department concerned shall forthwith appoint and employ, at the compensation designated, the clerks, deputies, assistants, agents and other employees fixed or limited for such office, court or department, or make any such change in their number and, or, compensation required by said Commission, and shall forthwith certify to said Commission the number and names of each and all such appointees.

Section 4. Said County Commission is authorized and empowered to arrange for necessary transportation incident to the performance of all county business or affairs, and for this purpose may purchase automobiles, trucks, or other vehicles or may contract with persons, firms or corporations to furnish such transportation, or may appropriate from time to time out of the County Treasury funds to pay or reimburse County employees who from time to time furnish, or are required to furnish their own transportation.

Section 5. The said County Commission may appoint marshals, not to exceed six in number, to serve the Inferior Courts exercising criminal jurisdiction, and the Juvenile and Domestic Relations Court in said County, as may be necessary for the proper conduct and functioning of such courts. That such marshals shall be invested with the same powers as deputy sheriffs, and shall receive such compensation as may be fixed by the County Commission, and all such marshals shall execute a bond in the amount and conditioned as provided by law in the case of bonds required of deputy sheriffs in said County.

Section 6. That the County Commission of said County shall have the power and authority to pay the salary of any County employe or employes out of any County fund which they may deem proper.

Section 7. That the County Commission in said County shall determine the necessity of a solicitor in all inferior courts in said County, and shall select such solicitors and fix their compensation, which shall be paid out of the general fund of the County, and all solicitor's fees collected in such misdemeanor cases which are taxed by reason of service of such solicitor shall be paid into the general fund of the County.

Section 8. That the County Commissioner of said County shall have complete and entire charge and control of the Juvenile or Domestic Relations Court of said County, and for this purpose are invested with the power to select and employ the Judge of said Court and all officials, agents, clerks, bailiffs, probation officers, superintendents and matrons and all employes of every nature whatsoever connected with, or in any manner appertaining to such Court, and to fix and to pass upon the qualifications of each, and each of whom shall continue in the service at the will of the County Commission, except the Judge of said Court, whose appointment by the Commission shall be for a term of four years, and until his successor is appointed and qualified. Said Commission shall fix the compensation of the Judge, and shall designate the number and fix the compensation of all officials, clerks, bailiffs and other employes connected with the functioning of such courts, and shall designate the place or places for holding the sessions of such Courts, and shall fix the number of, not exceeding the limit provided by law, and designate the persons who shall compose the Advisory Board of said Court, and shall prescribe and regulate the duties and functions of said Advisory Board; provided, however, that the present judge of said Court, and the present members of said Advisory Board shall serve during the term of office for which they were appointed and are now serving, unless by reason of resignation or otherwise, their offices, or any of them, are sooner vacated, in which event such offices, as they become vacant, shall be filled by said Commission; and provided further the provisions hereof in all other respects shall apply to and govern the

said judge and members of said Advisory Board during their present terms of office.

Section 9. That the property of said County of every nature, character, and description, whether real, personal or mixed, shall be under the supervision and control of the County Commission, who shall exercise the power to sell, regulate and define the use thereof, and may make such rules and regulations as they may deem prudent and expedient for the care, protection and use of such property.

Section 10. That the County Commission of said County shall each year fix the amount of the official bond of each County officer, and each County officer shall file with the Judge of Probate of such County each year an official bond in the amount fixed by the Commission, conditioned as provided by law for the faithful performance of their respective duties. That said County Commission may, in the exercise of their discretion, require of each County employe handling public funds that such employe shall each year enter into a bond in an amount to be fixed by the County Commission for the faithful performance of their duties, and the proper accounting of all public monies coming into their hands. That the premium on all such bonds of both officers and employes shall be payable out of the funds of the County.

Section 11. That as soon as practicable after the first day of October and the first day of April of each year, the County Commission of said County shall cause to be published in a daily newspaper in general circulation in said County, a financial statement showing receipts and disbursements of all county departments, and shall also publish at the same time a list of the names of all persons drawing a salary from the County Treasurer, together with the amount of salary paid to each.

Section 12. That the County Commission of said County shall maintain offices and hold meetings and transact the business at the places now provided by law, or that may hereafter be provided by law for such governing bodies of said County, and may at the discretion of the Commission hold meetings at other places in such County for the purpose of public hearing only.

Section 13. That said Commission may at its discretion pay out of County funds the traveling or other expenses of any County officer or employe, when such officer or employe creates such expense under the order or direction of such Commission.

Section 14. That should any section or clause of this Act be declared unconstitutional it shall not affect any other provision, section or clause thereof.

Section 15. That all laws or parts of laws, general, local or special, in conflict with the provisions of this Act are hereby expressly repealed.

State of Alabama, }
County of Jefferson. } ss:

On this 22nd day of Sept., A. D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State aforesaid, J. H. Capps, who being duly sworn according to law, declares that he is Bookkeeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates:

Sept. 1-8-15-22, 1932.

Signed J. H. CAPPS.

Subscribed and sworn to before me this 22nd day of Sept., A. D., 1932.

(Seal)

W. O. OLIVER,
Notary Public.

Also:

By Mr. Morrow:

H. 611. To fix the salaries of judges of inferior courts, having civil jurisdiction only, created in lieu of justices of the peace, for one or more precincts lying within or partly within any City of the State having a population of over 150,000 according to the last or any subsequent Federal Census.

Also:

By Mr. Morrow:

H. 612. To fix the salaries of the circuit judges in Alabama in circuits now or hereafter having ten or more circuit judges and to provide for the manner of payment of same.

Also:

By Mr. Morrow:

H. 615. To fix the salaries of the circuit judges in Alabama in circuits now or hereafter having ten or more circuit judges and to provide for the manner of payment of same.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

House Bills 207, 357, 366, 373, 407, 408, 512, 513, 514, 520, 547, 563, 569, 589, 594, 596, 611, 612 and 615, to the Committee on Banking and Insurance.

H. 541, to the Committee on Finance and Taxation.

ORDERS TO PRINT

On motion of Mr. Teasley, 500 copies of the bill and committee amendment thereto to:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

Were ordered printed for the use of the Senate.

On motion of Mr. Teasley, 500 copies of the committee substitute, as amended, to the bill:

S. 236. To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades & Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," approved August 25th, 1927.

Were ordered printed for the use of the Senate.

On motion of Mr. Garrett, 200 copies of the bill:

H. 113. Defining contract carriers and common carriers by motor vehicle not subject to the provisions of the Alabama Motor Carrier Act of 1931; to authorize, regulate and govern the transportation for hire of persons and property on public highways by motor vehicles operated by such contract carriers and common carriers; to authorize, regulate and govern the issuance of permits therefor; to regulate and govern the rates and practices of such carriers; to provide for the payment of fees, and for the payment of excise taxes for the use of the public highways by such contract carriers and common carriers, and to provide for the disposition thereof; to enlarge the powers and duties of the Alabama Public Service Commission and Probate Judges of the State with respect to permits issued to and the regulation and control of such carriers, and to provide for the payment of fees to such Probate Judges; to provide for the appointment of resident agents (upon whom service of process may be had) of such contract carriers and common carriers who may be non-residents of the State; to authorize municipalities in this State to prescribe license taxes to be paid by such contract carriers and common carriers; to prescribe and regulate the practice and procedure before the Alabama Public Service Commission with respect to said carriers, and to authorize and prescribe appeals from rulings with respect to such carriers, and to regulate injunctions and like orders respecting the same; and to provide for the enforcement, and to prescribe punishment and penalties for the violation of this Act.

Were ordered printed for use of the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 202. To fix the compensation or salary to be paid the Tax Assessor of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistance and other expenses in said office of the Tax Assessor of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter authorized to be collected by said official and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Assessor of Tuscaloosa County and the clerks, deputies, and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the

conduct and operation of such officer made necessary by changing the method and basis of compensation of such Tax Assessor, and to prescribe when this Act shall go into effect.

S. 203. To fix the compensation or salary to be paid the Judge of Probate of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide clerical assistance and other expenses in the Probate Office of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter collected by said official and to pay same into the County treasury; to provide for the payment of the salary or compensation of said official and the clerical assistants, and other office expenses out of said funds of the County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such officer, and to prescribe when said Act shall go into effect.

S. 204. To fix the compensation or salary to be paid the Tax Collector of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistance and other expenses in said office of the Tax Collector of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter authorized to be collected by said official and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Collector of Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this said Act shall go into effect.

S. 195. To further regulate the distribution of funds of Building and Loan Associations.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 196. To amend Section 1 of an Act entitled: "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration of Alabama and the Chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches, for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama," approved August 31, 1927.

Also:

S. 197. To provide for the leasing to the State Highway Department of the State of Alabama by the Alabama State Bridge Corporation of all of the bridges and other property now owned by the Alabama State Bridge Corporation; to provide the method and manner of execution of said lease and the future use of said property, and to make an appropriation therefor.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR

Mr. Mullins gave to the Senate the following notice in writing: "Notice is hereby given that on the next Legislative day I will move to take from the Adverse Calendar, have the same read a second time and placed on the Regular Calendar, Senate Bill 257.

J. Sanford Mullins,

Senator 10th Senatorial District of Alabama.

October 21st, 1932.

OPINION OF SUPREME COURT

The following opinion of the Supreme Court as to Senate Bill 241, was read and ordered spread upon the Journal:

TO THE SENATE OF ALABAMA:

Replying to your Resolution 74 inquiring as to the constitutionality of Senate Bill 241, I am instructed by the Justices to say that said Bill 241 does not present or involve a question or subject of such Statewide importance as to warrant them in giving an opinion as to the constitutionality thereof as contemplated in Section 10290 of the Code of 1923.

Signed this the 19th day of October, 1932.

JNO. W. ANDERSON,
Chief Justice.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Craft, further consideration of the bill:

S. 241. Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 100,000 and not more than 175,000; defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the Judge and officers of the courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the courts and prescribing its duties, and providing for appeals from any order and judgment of said courts; making it an offense for any person knowingly or willfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment thereof; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association, or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other courts in the Civil Service of the State or municipality on account of any judgment or order of said court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Was indefinitely postponed.

On motion of Mr. Kelly, further consideration of the bills:

S. 61. To amend Section 3040, of Article 4, of Chapter 58, of the Alabama Code of 1923.

Also:

S. 62. To amend Section 3048, of Article 5, of Chapter 58, of the Alabama Code of 1923.

Was indefinitely postponed.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following Resolution and sends same herewith to the Senate:

By Mr. Norman:

H. R. 145. Resolved by the House, that the Senate be requested to return to the House, House Bill No. 304, for further consideration by the House.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Harrison:

H. 304. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of public utilities, and of their relations and contracts with holding companies and affiliated interests; and so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and charges; facilities and plants; franchises, licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities, and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the Commission or with the provisions of this Act; and, as a part hereof, to amend sections 9750 and 9753, of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

Pursuant to H. R. 145, requesting the return to the House of H. B. 304, the title of which is set out in the foregoing Message from the House, said bill was returned to the House for further consideration.

BILLS ON THIRD READING

The bill:

S. 228. To fix time allowed Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the Senate and House of Representatives of this Session of the Legislature to the Secretary of State.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hubbard	Mullins
Beasley	Duncan	Jordan	Powell
Borner	Faulk	Kelley	Scruggs
Caffey	Garrett	McDowell	Shepherd
Cooper	Goodwin	Millsap	Wikle
Cowart	Hildreth		

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The bill:

H. 286. To create the Jefferson M. Falkner Preventorium, to provide for a board of trustees therefor and to define the duties and powers of such Board, and fixing the terms of office of the members thereof; to provide for a superintendent of such Preventorium, and to define his rights, duties, and powers; to provide for the fixing of charges for the patients or inmates admitted to said Preventorium, and for the payment of the same and that the State Board of Health and Alabama Committee of Public Health shall advise and co-operate with said Board of Trustees and Superintendent to permit the use for such purposes of any part of the Jefferson M. Falkner Soldiers Home at Mountain Creek, Alabama, not needed for the use of the inmates of the said Soldiers Home; and to permit the delivery to said Preventorium for use therein of any live-stock, poultry, farm or dairy products belonging to the State, at the discretion of the Governor, for such purposes.

Was taken up.

Mr. Scruggs offered the following amendment to said bill to-wit:

Amend the title of H. 286 by adding the words "Confederate Memorial" after the words "Jefferson M. Falkner" in the first line thereof.

Amend Sections 1, 2, 4 and 5 by substituting the words "Jefferson M. Falkner Confederate Memorial Preventorium" for the words "Jefferson M. Falkner Preventorium" wherever the same occur therein.

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hubbard	Riddle
Beasley	Delony	Jordan	Scruggs
Caffey	Edmundson	Kelley	Shepherd
Cooper	Garrett	McDowell	Warren
Cowart	Goodwin	Millsap	Wikle
Craft	Hildreth	Mullins	

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And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; nays, 1.

Yeas:

Messrs.:

Bartlett	Darden	Jordan	Riddle
Beasley	Delony	Kelley	Scruggs
Caffey	Garrett	McDowell	Shepherd
Cooper	Goodwin	Millsap	Warren
Cowart	Hildreth	Mullins	Wikle
Craft	Hubbard		

—22

Nay: Mr. Faulk

— 1

The bill:

S. 220. To regulate the operation of trucks and other vehicles on the highways so as to better protect, or, prevent the injuring and the killing of, school children,—Pupils or students—while being transported to and from school on school busses, and to provide penalties for violating the provisions of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 23; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Garrett	Mullins
Beasley	Darden	Hildreth	Riddle
Brown	Delony	Hubbard	Scruggs
Caffey	Duncan	Jordan	Warren
Cooper	Edmundson	Kelley	Wikle
Cowart	Faulk	McDowell	

—23

The bill:

S. 223. To amend Section 10358 of the Code of Alabama of 1923.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Jordan	Scruggs
Brown	Delony	Kelley	Teasley
Caffey	Garrett	McDowell	Warren
Cooper	Goodwin	Mullins	Wikle
Cowart	Hubbard	Riddle	

—19

The bill:

S. 107. To make it unlawful to receive or to cause to be furnished from or by any hospital, infirmary, or sanitorium board, room, surgical, medical, or nursing care with intent to defraud such hospital, infirmary, or sanitorium, and to fix penalty or punishment therefor, and to define what shall be prima facie evidence of such intent to defraud.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 5.

Yeas:

Messrs.:

Beasley	Edmundson	Hubbard	Scruggs
Bonner	Fletcher	McDowell	Shepherd
Brown	Garrett	Mullins	Walker
Cooper	Goodwin	Powell	Warren
Cowart	Hildreth	Riddle	Wikle
Darden			

—21

Nays: Messrs. Bartlett, Caffey, Duncan, Faulk and Jordan

— 5

The bill:

S. 226. To require the Board of Revenue and Road Commissioners of Mobile County, Alabama, to provide towards the support, maintenance, and operation of the Mobile Public Library the sum of one thousand two hundred fifty dollars on the first day of January, the first day of April, the first day of July, and the first day of October in each calendar year after the year 1932, so long as the Mobile Library Board shall maintain a free circulating library in Mobile County for the use of the citizens thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Tasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

S. 230. To repeal an act of the Legislature of Alabama approved September 9th, 1927, entitled "An Act creating and establishing Juvenile Courts in all counties in the State of Alabama, now having or which shall hereafter have a population according to the last federal census of not less than 95,000 and not more than 175,-

000, defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the Judge and officers of the courts; their terms of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children providing for a commission to aid in carrying out the work of the courts and prescribing its duties and providing for appeals from any order or judgment of said courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent and providing punishment therefor, providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other courts in the Civil Service of the State or municipality on account of any judgment or order of said court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Fauik
Fletcher
Garrett
Goodwin

Hildreth
Hubbard
Jordan
Kelley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

The bill:

S. 229. To repeal an act of the Legislature of Alabama approved April 21st, 1931 entitled "An Act to amend the title and section one of an act entitled 'An Act Creating and establishing Juvenile Courts in all counties in the State of Alabama now having or which shall hereafter have a population according to the last Federal Census of not less than 95,000 and not more than 175,000; defining their powers and jurisdictions and providing for the process and procedure of said courts; for the equipment of said courts, for the Judge and officers of the courts; their term of office and their salaries, and defining their duties and the payment by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said counties of all premiums that may accrue on account of the bond of the Clerk thereof; for the transportation of Probation Officers, for the service of process, including warrants and the fees thereof and the payment of said fees; for the detention of juvenile delinquents and dependents and neglected children, providing for a commission to aid in carrying out the work of the courts and prescribing its duties, and providing for appeals from any order or judgment of said courts; making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency or dependency of any child under sixteen years of age, or produce, promote or contribute to the conditions which render any child delinquent or dependent, and providing punishment therefor; providing for the transfer of certain cases to said Juvenile Courts; providing for the apprehension of such children and persons and the commitment of children to any family, association or institution; for the transportation of such children and the payment of cost by said counties; providing for the commitment of Juvenile delinquents and dependents to any family, association, or institution within the State to which they may be respectively committed and providing for the payment of the cost thereof by the Board of Revenue and Road Commissioners, or by whatever name they shall be known of said Counties, providing for the payment by the cities or towns in which said courts are established of one-half of the expenses arising out of the operation of said Courts, and for the protection of said children against disqualification or prejudice in other courts in the Civil Service of the State or municipality on account of any judgment or order of said court or any confession, statement, declaration or admission or silence or demeanor of said juveniles, and provide for the repeal of certain laws. Approved September 9, 1927'."

Was read a third time at length and passed; and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

S. 224. Abolishing Juvenile Courts in counties which have now, or have hereafter, a population of not less than One Hundred and Ten Thousand, nor more than Three Hundred and Fifty Thousand, according to the last, or any succeeding Federal Census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

S. 225. To create a division in circuit courts in counties of the State which now, or in future, have a population of not less than *One Hundred and Ten Thousand* and not more than *Three Hundred and Fifty Thousand*, according to the last Federal Census and any succeeding Federal Census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

S. 240. To create and establish in Mobile County, Alabama, a court to be known as and called the "Inferior Criminal Court of Prichard," with the jurisdiction stated in this Act, in criminal cases over and throughout the entire county of Mobile outside the corporate limits of the City of Mobile; to provide for its jurisdiction; to provide for its officers, their terms of office, the manner and times of their selection, appointment and election, their jurisdictions, powers, duties and compensations and to provide for the payment of such compensations out of the Mobile County Treasury and require the county treasurer to pay the same; to provide for their oaths and bonds; to provide for the summoning of witnesses before said court and to fix fees; to fix the fees and costs in said court and to provide for the payment over of same, and to provide for the terms, places of holding court, trials, forms, dockets, rules of procedure and operation of said court; to require the revenue and road commissioners of Mobile County or like governing body in said county to furnish for said court a building or room in the town of Prichard with suitable furniture, fuel, books, stationery and seal; to provide for the service of process from said court by the sheriff of Mobile County and to fix his compensation therefor, and to provide for appeals from judgments of said court; to repeal all laws and parts of laws contrary to the provisions of this Act and to provide that this Act shall take effect immediately upon its passage and approval by the Governor; to provide that if any section, clause or provision of this Act shall be declared invalid or unconstitutional it shall not effect any other section, clause or provision but the same shall remain in full force and effect.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:
Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hubbard
Jordan
Kelley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

S. 242. To fix the compensation or salaries and allowances to be paid to sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 110,000 people according to the last Federal Census or any such census which may hereafter be taken where such sheriffs are

constitutionally paid upon a salary basis and to regulate the payment of same, and to regulate the office of said sheriff, and to authorize, empower and require the courts of county Commissioners, Boards of Revenue or other courts of like jurisdiction to provide and furnish the said sheriffs with necessary quarters, books and stationery, and to provide for the payment of same.

Was taken up.

Mr. Teasley offered the following substitute for said bill to-wit:

A BILL

To be entitled An Act to fix the Compensation or salaries and allowances to be paid to Sheriffs in all counties in this State, which now have or which may hereafter have a population of 75,000 people and less than 110,000 people according to the last Federal Census or any such Census which may hereafter be taken where such sheriffs are constitutionally paid upon a salary basis, and to regulate the payment of same, and to regulate the office of said sheriff, and to authorize, empower and require the Courts of County Commissioners, Boards of Revenue or other Courts of Like Jurisdiction, to provid and furnish the said sheriffs with necessary quarters, books and stationery, and to provide for the payment of same.

Be it enacted by the Legislature of Alabama:

Section 1. That beginning on the first Monday after the second Tuesday in January 1935, the sheriffs in all counties in this State which now have or which may hereafter have a population of 75,000 people and less than 110,000 people, according to the last Federal census or any census which may hereafter be taken, where such sheriffs are constitutionally paid upon a salary basis, shall receive and be paid an annual salary of not exceeding \$6,000.00 per annum, as herein provided.

Section 2. The sheriffs of such counties shall collect all fees and allowances authorized by law, or which may hereafter be authorized by law, and shall retain out of said collections not exceeding the sum of \$6,000.00 as salary, provided under this Act, and shall pay into the County Treasury any amount remaining after deduction said salary and other expenses of his office, including the salaries of deputy sheriffs, as provided under Section 4 of this Act.

Section 3. That in addition to the said salary of \$6,000.00 said sheriffs shall receive \$1200.00 per annum, payable out of the general fund of said county, payable in monthly installments as ex-officio services.

Section 4. The sheriffs of said counties shall file with the Courts of County Commissioners, Boards of Revenue or other Courts of like jurisdiction, quarterly statements, under oath, showing in detail the fees and allowances collected by them, as provid-

ed by law, and the amounts expended by them as expenses in conducting their offices, including the salaries of said sheriffs and pay into the county treasury any excess over and above said salaries herein provided for, and expenses incurred in the conduct of their offices, including the salaries of deputy sheriffs.

Section 5. Said sheriffs of said counties shall employ, with the approval of the Courts of County Commissioners, Boards of Revenue or other Courts of like jurisdiction, one guard for the county jail at \$2100.00 per annum, one guard for the county jail at \$1500.00 per annum, and one guard for the county jail at \$1,200.00 per annum. The salaries of said guards to be paid out of the general fund of said counties in monthly installments.

Section 6. It shall be unlawful for any Courts of County Commissioners, Boards of Revenue, or other Courts of like jurisdiction to make any allowances, for any purposes whatsoever, to such sheriffs, payable out of the County Treasury not provided for herein. Any member of such Courts of County Commissioners, Boards of Revenue, or other Courts of like jurisdiction, violating this Section, shall be guilty of a misdemeanor.

Section 7. That all laws, or parts of laws, general and local, in conflict with the provisions of this Act, be and the same are hereby expressly repealed.

Section 8. If any section, clause provision or portion of this Act shall be held invalid or unconstitutional by any Court of competent jurisdiction, such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself unconstitutional.

Section 9. This Act shall take effect on the first Monday after the second Tuesday in January 1935.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

And said bill, as thus amended, was read a third time at length passed and ordered sent forthwith to the House without engrossment.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 416. To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 413. Providing for and relating to the remedies of a landlord for recovery of possession of rented premises when such possession is wrongfully withheld by the tenant.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Goodwin	McDowell
Beasley	Darden	Hildreth	Millsap
Bonner	Delony	Hubbard	Mullins
Brown	Edmundson	Jordan	Powell
Caffey	Faulk	Kelley	Riddle
Cooper	Garrett		

—22

The bill:

H. 399. To amend Section 3040 of the 1923 Code of Alabama.

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill to-wit:

Amend H. 399 as follows:

1 Amend said bill by striking therefrom the following words, viz:

"Provided that in Counties of not less than 75,000 population nor more than 100,000 population according to the last or any succeeding Federal Census, where the Tax Assessor and Tax Collector are on a salary paid out of the County Treasury, the fees shall remain as at present and such fees paid into the public school funds of any such county."

2 Amend said bill by adding the following sections, viz:

SECTION 2.—This Act shall not be construed to affect the salary or allowance of any Tax Assessor compensated upon a salary basis.

SECTION 3.—If any section, clause or provision in this Act is declared unconstitutional or invalid, it shall not affect any other section, clause or provision thereof not in and of itself unconstitutional or invalid.

Which was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Goodwin	Kelley
Beasley	Darden	Hildreth	McDowell
Bonner	Delony	Hubbard	Powell
Caffey	Farmer	Jordan	Wikle
Cooper	Garrett		

—18

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Garrett	McDowell
Beasley	Delony	Goodwin	Millsap
Bonner	Edmundson	Hildreth	Mullins
Caffey	Farmer	Hubbard	Powell
Cooper	Faulk	Jordan	Riddle
Cowart	Fletcher	Kelley	Wikle
Craft			

—25

The bill:

H. 420. To amend Section 3048 of the 1923 Code of Alabama.

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill to-wit:

Amend H. 420 as follows:

1.—Amend said bill by striking therefrom the following words, viz:

"Provided, that in Counties having a population of not less than 75,000 population nor more than 100,000 population, according to

the last or any subsequent Federal Census, where the Tax Collector is paid a salary from the County Treasury, the fees shall remain the same as now and be paid into the County public school fund."

2.—Amend said bill by adding the following sections, viz:

SECTION 2.—This Act shall not be construed to affect the salary or allowance of any Tax Collector compensated upon a salary basis.

SECTION 3.—If any section, clause or provision in this Act is declared unconstitutional or invalid, it shall not affect any other section, clause or provision thereof not in and of itself unconstitutional or invalid.

Which was adopted.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Goodwin	McDaniel
Beasley	Craft	Hildreth	Millsap
Bonner	Darden	Hubbard	Powell
Brown	Delony	Jordan	Scruggs
Caffey	Farmer	Kelley	Wikle
Cooper	Garrett		

—22

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Goodwin	Millsap
Beasley	Craft	Hildreth	Mullins
Bonner	Darden	Hubbard	Powell
Brown	Delony	Jordan	Riddle
Caffey	Farmer	Kelley	Wikle
Cooper	Faulk		

—22

The bill:

H. 245. To amend Section 5270 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs.:

Bartlett	Cooper	Fletcher	Millsap
Beasley	Cowart	Goodwin	Mullins
Bonner	Darden	Hildreth	Powell
Brown	Delony	Jordan	Wikle
Caffey	Edmundson	Kelley	

—19

The bill:

H. 246. To amend Section 3615 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Goodwin	Mullins
Beasley	Craft	Hildreth	Powell
Bonner	Darden	Kelley	Riddle
Caffey	Delony	McDaniel	Wikle
Cooper	Edmundson	Millsap	

—19

The bill:

H. 247. To amend Section 5268 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Garrett	Millsap
Bonner	Darden	Goodwin	Mullins
Brown	Delony	Hildreth	Powell
Caffey	Edmundson	Kelley	Scruggs
Cooper	Faulk	McDowell	Wikle

—20

The bill:

H. 195. To amend an Act entitled an Act, "To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal Census, or which shall have such population according to any such census that may be taken hereafter, a board of trustees of the firemen's pension and relief fund in connection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees; to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and to provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such board as now exist under existing laws during the terms for which they have been elected, same to be trustees under this Act in their respective cities which are governed by this Act and where this law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said Board of Trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such funds of the fines prescribed and imposed for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross

premiums, less returned premiums, received by fire insurance companies doing business within such cities, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective Firemen's Pension and Relief Funds as created and provided in this Act the respective funds and moneys and properties constituting Firemen's Pension and Relief funds as are existing respectively under existing laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire departments, and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act," approved August 9, 1927.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hubbard
Jordan
Kelley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

H. 45. To amend Section 1 of an Act of the Legislature of Alabama approved September 29th, 1919 entitled "An Act to declare the 11th day of November in each and every year a memorial day for the Alabama soldiers who died in the recent war and to make the day a legal holiday in Alabama."

Was taken up.

Mr. Scruggs offered the following amendment to said bill to-wit:

Amend H. 45 as follows:

By striking out the word "soldiers" where the same appears in the title and body of said bill and inserting in lieu thereof the words, "World War Veterans."

Which was adopted.

Yeas, 19; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Goodwin	Mullins
Beasley	Darden	Jordan	Powell
Bonner	Delony	Kelley	Scruggs
Caffey	Farmer	McDowell	Walker
Cooper	Garrett	Millsap	

—19

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett	Farmer	Kelley	Powell
Bonner	Garrett	McDowell	Scruggs
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Jordan		

—18

The bill:

H. 217. To amend Section 2 of an act entitled an act "To further prescribe the duties of County Treasurers in counties of more than two hundred thousand population according to the last or any subsequent preceding Federal Census; to provide for clerical assistance for such treasurers for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds", approved October 31, 1921.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 559. To provide that in all cases where the prosecution is commenced in the Justice Court or in the County Court of Henry County, Alabama, and the defendant is acquitted in the Circuit Court of said County, all costs and fees accruing to the Sheriff and to the Clerk of the Circuit Court of said County, in the discharge of their official duties, respectively, in the trial and conduct of such prosecution, shall, where payment thereof is not otherwise provided for, be charged against the fine and forfeiture fund of the County, to be paid out of such fund, in the manner and as now provided for the payment of other claims therefrom; to provide for the payment from the fine and forfeiture fund of the County, all such outstanding claims now held by such officials from the fine and forfeiture fund, and to confirm, ratify, validate, make legal, effective and binding all payments from said fund of all such claims heretofore made therefrom.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 570. To amend Section 9 of the Local Acts of the Legislature of Alabama of 1911, at pages 275 and 276, entitled an Act to establish an Inferior Civil Court in lieu of Justice of the Peace for all precincts lying within or partly within the City of Mobile, approved April 15, 1911, as amended by the Local Acts of the Legislature of Alabama, of 1923, at page 216, entitled an Act to amend Section 7 of an Act entitled an Act to establish an Inferior Civil Court in lieu of Justices of the Peace for all precincts lying within or partly within the City of Mobile, said amendment of 1923 having been approved on the 24th day of September, 1923.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Cowart	Farmer	Hubbard
Beasley	Craft	Faulk	Jordan
Bonner	Darden	Fletcher	Kelley
Brown	Delony	Garrett	McDaniel
Caffey	Duncan	Goodwin	McDowell
Cooper	Edmundson	Hildreth	Millsap

Mullins
Powell
Riddle

Scruggs
Shepherd

Teasley
Walker

Warren
Wikle

—33

The bill:

H. 567. To amend Section 5 of an Act entitled an Act to establish a Court of County Revenues for Lawrence County, and to define its duties and powers, approved December 1, 1898 and as amended by an Act approved 6th. day of September, 1927 and to provide for the payment of services of members of the Court of County Revenues out of the gasoline funds for Lawrence County, Alabama.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:
Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hubbard
Jordan
Kelley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

H. 550. To authorize, empower and direct the Board of Revenue or Court of County Revenues or other like governing body for Lawrence County, Alabama to provide for and furnish to Deputy or County Solicitors for said County suitable office space in the courthouse of said County, and office supplies, stationery and telephone for said office and to provide for the renting of such offices in the town of the County Site of Lawrence County, Alabama, if in their judgment proper office space is not available in the Courthouse, and to pay for said rent, office supplies, stationery and telephone by warrants drawn by the Judge of the Probate Court as Chairman of the Board of Revenue or Court of County Revenues, or other like governing body for said County, and payable out of the general funds of said County.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:
Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hubbard
Jordan
Kelley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

H. 533. To require the County Board of Education of Conecuh County, Alabama, to pay out of the School Funds of said County all expenses of County Superintendent's Office and all expenses of taking school census and to relieve the Board of Revenue from paying for same.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
CaFFEY	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 315. To fix and regulate the fees of witnesses in criminal cases in the county court and circuit court of Lamar County, Alabama, and before the grand jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
CaFFEY	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 460. To authorize and empower the Court of County Commissioners of Crenshaw County, Alabama to levy a privilege license or tax of one cent on all gasoline, woco pep, or any substitute for gasoline, or any other motor fuels used by and in self propelled motor vehicles and sold in said county, or stored in said county for sale, for the privilege of selling the same, and to authorize the Court of County Commissioners of Crenshaw County, Alabama to levy a privilege tax or license of one cent per quart on all lubricating oils sold in said county or stored in said county for sale for the privilege of selling the same, and to provide rules, regulations

and machinery for the collection thereof, and to provide penalties for the violation of such rules and regulations, and to provide the punishment for violation of such rules and regulations. Said proceeds from said license or tax on said gasoline and said lubricating oils to be used exclusively for the benefit of the public schools of said county.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 482. To designate the Probate Judge of Tuscaloosa County, Alabama, as ex-officio custodian of the County funds of Tuscaloosa County, Alabama; to provide for his giving bond for the performance of his duties as such and to prescribe his duties as such; to provide for the payment out of the County's funds of the premiums on such bond; to provide for the receipt and disbursement by him of the County funds; to provide for the payment by him of all grand and petit jurors certificates and to prescribe his other duties as such ex-officio custodian of the County funds; to provide necessary books to be used in connection with his duties as such; to provide for the employment of an expert accountant annually to examine his books and vouchers, as such ex-officio custodian of the County funds; to provide for recording his annual account and the posting of the same at the Court House door; to fix his compensation and prescribe the forms of accounts to be used; to provide for the deposit by him of the County's funds which come into his hands by virtue of his office with such incorporated State or National Bank, doing business in Tuscaloosa County, Alabama, as offers, by sealed bids to be opened on the first Monday of December of each year, the highest rate of interest to the County on daily balances, upon such Bank giving good and sufficient security in such amount and in such form as may be approved by the Judge of Probate, as such ex-officio custodian of the County's funds, to protect the County and, or, the custodian of its funds, in the proper handling and safe keeping, by said Bank, of the County's funds which may be deposited with said Bank; to provide for the application, use and disposition of any and all moneys to be derived from the interest on the daily balances of the funds of the County depos-

ited in such Bank; and to provide when this Act shall take effect; and to repeal all laws in conflict therewith.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 237. To regulate the excusing of jurors in the Circuit Courts of every County in this State, which now have, or may hereafter have, a population of as much as seventy-five thousand people and not more than one hundred thousand people, according to the last decennial census, or any such census which may hereafter be taken.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 531. To relieve all persons of any legal obligations to work public roads or streets in Blount County, Alabama.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 549. To validate the action of W. R. Jackson, Probate Judge of Lawrence County, Alabama, acting as Chairman of the Court of County Revenues or other like governing body for said County, in issuing warrants on the County Treasurer for the purpose of paying office rent, stationery and office fixtures for the Deputy and County Solicitors for said County since January 15, 1923.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted: S. J. R. 82. Relative to the adjournment of the two Houses until Tuesday, October 25th.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment.

By Mr. Harrison:

H. 322. To amend Section 5392 of the 1923 Code of Alabama.

Also:

By Mr. Tunstall:

H. 629. To limit the number of members of the several standing committees of the House of Representatives of the Legislature of the State of Alabama.

Also:

By Mr. Harrison:

H. 526. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Com-

mission, in the public interest, of transportation companies as defined by Section 9709 of the Code of Alabama of 1923, and to provide for the assessment, collection and payment of supervision and inspection fees by such transportation companies.

Also:

By Mr. Tunstall:

H. 655. To repeal an Act entitled "An Act to better secure the administration of the financial affairs of the State and for that purpose to vest in the Governor certain powers and duties; to create the office, define the powers and duties and fix the salary of a State Comptroller; to provide for the transfer of the Department of Examiners of Accounts, its personnel, appropriations, records, equipment and other property to the office of State Comptroller and to designate it as the division of Departmental and County Audits; to abolish the Budget Commission, and to transfer the books, property and equipment of the Budget Commission to the office of the Comptroller; to relieve the State Auditor of certain duties and to provide for the transfer of certain employees and of unexpended balance of appropriations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of State Comptroller; to relieve the Board of Administration of certain duties and to provide for the transfer of certain employees and of unexpended balance of appropriations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of the State Comptroller; to provide for the transfer of the Secretary of the Senate and Clerk of the House of Representatives to the State Comptroller's Office during such times as the Legislature is not in session; to repeal certain definite, indefinite and contingent permanent appropriations, to establish a State Budget System; to provide for the lapsing of appropriations; to provide for the transmission of the Budget to the Legislature; to provide a method for securing estimates of appropriations and for estimates of income of the State; to provide a tentative budget and to provide for hearings on the same; to provide for transmission of the tentative budget to the Governor; to provide for prorating appropriations to prevent an overdraft or deficit in any fiscal year for which appropriations are made; to provide for allotting appropriations to departments, institutions, bureaus, boards, commissions and other State agencies; to provide emergency appropriations; to provide that money received by departments, institutions, bureaus, boards, commissions, or other State agencies shall be deposited in the Treasury and to provide how the same shall be held and paid out; to prevent the wrongful expending of appropriations and to provide penalties and punishment; to establish a fiscal year for the State and all State Agencies; to provide when this Act shall go into effect and to provide for the repeal of certain laws in con-

flict with this Act," Approved September 27th, 1932, in so far as the same may or can affect the payment, extension or renewal of certificated warrants outstanding or existing on September 30th, 1932.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

House Bills 322 and 526, to the Committee on Revision of Laws.

H. 629, to the Committee on Rules.

H. 655 to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Cook:

H. 637. To make it unlawful for any person to receive or buy seed cotton at any time from any person except from the owner of the land on which grown, or his lawful agent, or except from a person, presenting a written permit to make such sale from the owner of the land on which grown or his lawful agent, and to provide penalties therefor.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follow:

H. 637 to the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Harrison:

H. 304. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of public utilities, and of their relations and contracts with holding companies and affiliated interests; and so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest

of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and charges; facilities and plants; franchises, licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities, and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the Commission or with the provisions of this Act; and, as a part hereof, to amend sections 9750 and 9753, of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 304, to the Committee on Revision of Laws.

REPORT OF SECRETARY

TO THE SENATE:

Pursuant to the requirements of Joint Rule No. 5 of the Senate and House, I respectfully report the following Senate bills and Senate joint resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. 96. To amend Section 2216 of the Code of Alabama as amended by Act of the Legislature of 1927, approved September 10, 1927.

Delivered to the Governor September 30, 1932, at 10:20 A. M.

Also:

S. 21. To provide for a consolidation of certain revenues collected by the State Department of Game and Fisheries into one fund to be known as the Game and Fish Fund, and provide for the use of said fund and to provide penalties for violation of the Act.

Delivered to the Governor October 6th, 1932, at 4 P. M.

Also:

S. 88. To redefine the duties of the State Auditor; to relieve the State Auditor of certain duties now imposed by law; to transfer certain of such duties as are now by law required of the State Auditor to the State Tax Commission, and/or State Commission of Forestry and/or the Office of State Comptroller.

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

Also:

S. 131. To amend Section One of an Act approved July 17, 1931, entitled "An Act to provide for the quarterly publication by the city clerk of Athens, Alabama, of an itemized report of the receipts and expenditures of said city of Athens, Alabama for each preceding three months, and to provide penalty for failure to observe said law."

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

Also:

S. 155. To amend an Act entitled An Act passed over the Governor's Veto on June 9th, 1931, which Act created and established, "The Inferior Court of Randolph County, defined its jurisdiction, provided for the Officers of said Court and for the manner of their selection or election, etc., and abolished the County Court of Randolph County, and the office of County Solicitor" by providing in said Act that the Clerk of said Inferior Court shall receive in addition to the fees therein provided Ex Officio Fees in the same amount that the Clerk of the Circuit Court receives and to provide for the manner and payment thereof.

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

Also:

S. 171. To amend an Act entitled: "An Act to create and establish an inferior statutory court in Limestone County, Alabama to be called The Municipal Court of Limestone county; to provide for and define the jurisdiction and powers of such court; to provide for a judge thereof and other officers, their term of office and the manner of the selection of such officers, and their powers, duties and compensation; to fix and define the fees and costs chargeable in said court; to provide rules of procedure in such court; to provide for registering of its judgments and the lien of such judgments, and to provide for the transfer of causes from any abolished court having the same jurisdiction to this court when created and established".

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

S. 172. To amend an Act "To abolish the Board of Revenue of Walker County, Alabama, and to establish in lieu thereof a County Commission; to provide when said Board of Revenue shall be abolished and said County Commission established; to provide the number of members and who shall constitute the members of said County Commission, and to prescribe their terms of office, authority, powers and duties and fix their compensation; to provide for the selection and election of said members and to repeal all laws and parts of laws in conflict herewith," approved June 13, 1931, said Act to be amended so as to read as follows: AN ACT to abolish the Board of Revenue of Walker County, Alabama and to establish in lieu thereof a County Commission; to provide when said Board of Revenue shall be abolished and said County Commission established; to provide the number of members and who shall constitute the members of said County Commission, and to prescribe their terms of office, authority, powers and duties and fix their compensation; to provide for the selection and election of said members and to repeal all laws and parts of laws in conflict herewith.

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

Also:

S. 175. To relieve the Tax Assessors of all the Counties in the State of Alabama, where there are no local laws providing to the contrary, from the duty of preparing a book of assessments, and in lieu thereof to arrange in alphabetical order, according to Beats the original assessment lists, and have same permanently bound and kept as a permanent record, and prepare the Tax Collector's abstracts from said assessment lists, and to repeal all laws in conflict herewith, except local laws.

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

Also:

S. 185. To amend Section 14 of an Act entitled "An Act to establish in precinct one in Madison County, Alabama, an inferior court in lieu of all justices of the peace in said precinct, to be with the powers of a justice of the peace in said precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said court and the judge thereof", approved April 4, 1911.

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

Also:

S. 189. To amend Sub-division 2 of Section 834 of the Code of Alabama of 1923.

Delivered to the Governor October 11th, 1932, at 11:35 A. M.

Also:

S. 183. To amend an Act entitled, "An Act to create and establish a Board of County Commissioners in and for Madison County, Alabama, in the place and stead of the Board of Revenue of Madison County now existing in said county, and abolishing said Board of Revenue in Madison County; to divide said county of Madison into five districts, defining the boundaries thereof; defining the jurisdiction of said Board of County Commissioners, fixing their compensation; conferring upon said Board of County Commissioners all the jurisdiction, powers and authority granted by law to County Commissioners, Boards of Revenue or other governing bodies of like name or authority in this State; and to authorize said Board of County Commissioners for the purpose of maintaining the public roads, bridges and ferries of Madison County to impose a tax on gasoline, Woco-Pep or other substitute therefor sold in the county, not to exceed three cents per gallon, and to provide the machinery for its collection; authorizing the appointment of said Board of County Commissioners of a clerk, and a supervisor of public roads, providing for the holding of monthly meetings of said Board of Commissioners and providing for the repeal of all laws in conflict with this Act; providing for the appointment, nomination and election of said Board of Commissioners approved September 20th, 1923," as amended by local Act of the Legislature of

Alabama approved February 15th, 1927, and by Local Act of the Legislature of Alabama approved July 20th, 1931; by amending Section 12½ to authorize and empower the Board of County Commissioners to make donation to Local Chapter of the American Red Cross in said County, and for that purpose to appropriate to said donation a portion of County gasoline tax, and to ratify appropriations heretofore made to Local Red Cross Chapter.

Delivered to the Governor October 14th, 1932, at 12:01 P. M.

Also:

S. 88. To redefine the duties of the State Auditor and to provide for the employment and compensation of assistants and clerical help in the office of State Auditor; to relieve the State Auditor of certain duties now imposed by law; to transfer certain of such duties as are now by law required of the State Auditor to the State Tax Commission, and/or State Commission of Forestry and/or the office of State Comptroller.

Redelivered to the Governor, October 18th, 1932, at 11:30 A. M.

Also:

S. 141. To amend Section 3762 of the Code of Alabama, 1923. Relates to Fees and Compensation of witnesses in criminal cases.

Delivered to the Governor October 18th, 1932, at 11:30 A. M.

Also:

S. 205. To amend the title and body of an Act approved May 27th, 1931, and entitled "An Act to abolish the office of Coroner in all Counties in this State having a population of three hundred thousand (300,000) or more, according to the last or any subsequent Federal census and to require the County Commission in all such Counties to perform the duties now or which may hereafter be by law required of Coroners in this State; and to invest such County Commissions with all the rights and powers of such Coroners."

Delivered to the Governor October 18th, 1932, at 4 P. M.

Also:

S. 125. To encourage the building of bridges, causeways and other development work and relief work upon and abutting on tide lands, the title to or control of which may now or hereafter be vested in the State of Alabama, which shall not have been improved by or under valid public authority and shall not be otherwise devoted to public use, by authorizing the improvement and use thereof and of the abutting submerged lands so improved, and the vesting of title thereto in owners of the abutting riparian land, under and subject to the conditions and approval stated in the Act."

Delivered to the Governor October 18th, 1932, at 4 P. M.

Also:

S. 130. To relieve all persons of any legal obligation to work on the public streets in the City of Athens, Limestone County, State of Alabama, or to pay any money in lieu of such legal obligation

to work on the public streets in Athens, Limestone County, Alabama.

Delivered to the Governor October 18th, 1932, at 4 P. M.

Also:

S. J. R. 75. Requesting Southern Conference Officials to reconsider their action preventing the broadcast of Foot Ball games, and petitioning officials of colleges maintained by the State of Alabama to use their influence to accomplish this result.

Delivered to the Governor October 18th, at 4 P. M.

Respectfully submitted,

J. E. Speight,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF THE COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Twenty-Fifth Legislative Day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Hubert Farmer,
Chairman.

COMMITTEE REPORT

The foregoing report from the Committee on Revision of the Journal was read, and, on motion of Mr. Farmer, said report was concurred in and the Journal of the Senate for the Twenty-Fifth Legislative Day, approved by the Senate.

ADJOURNMENT

At 12:45 P. M. on motion of Mr. Millsap, and pursuant to Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, October 25th, 1932, at 11 A. M.

TWENTY-SIXTH DAY

Tuesday, October 25th, 1932.

The Senate met pursuant to adjournment, Lieutenant-Governor Merrill, presiding.

PRAYER.

By Dr. O. V. Calhoun of Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:			
Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth	Mullins	

—35

JOURNAL

On motion of Mr. Beasley, the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:
By Mr. Powell:

S. 278. To provide for the subordinate officers and employees of the Legislature, including the Senate and House of Representatives; to fix their positions, number, term of office, election or appointment, and how elected, selected or appointed; to fix the compensation of such subordinate officers and employees, and to provide how, when and upon what condition, and for what length of time such compensation is to be paid; to provide further that the Senate or House, either or both, has or have no authority by resolution or rule to change the number or compensation of such officers or employees, and that such can be done only by legislative enactment in the form of a bill or act of the Legislature; to repeal all laws, or parts of laws, in conflict with the provisions of this Act.

Committee on Rules.

By Mr. Lapsley:

S. 279. To provide for the issuance of registered warrants in exchange for state warrants which were outstanding and unpaid on

September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof; and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability including, *inter alia*, exemption from taxation, eligibility for investments and depository requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments shall not be subject to reduction under Act No. 37, approved September 27, 1932.

Committee on Finance and Taxation.

By Mr. Scruggs:

S. 280. To require circuit, deputy and county solicitors, before making any final settlement of *ad valorem* tax appeal cases, to report the same to the State Tax Commission for its approval; and to provide that no judgment by consent shall be entered without such approval.

Committee on Revision of Laws.

REPORTS OF COMMITTEES

Mr. Teasley, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tunstall:

H. 655. To repeal an Act entitled "An Act to better secure the administration of the financial affairs of the State and for that purpose to vest in the Governor certain powers and duties; to create the office, define the powers and duties and fix the salary of a State Comptroller; to provide for the transfer of the Department of Examiners of Accounts, its personnel, appropriations, records, equipment and other property to the office of State Comptroller and to designate it as the division of Departmental and County Audits; to abolish the Budget Commission, and to transfer the books, property and equipment of the Budget Commission to the office of the Comptroller; to relieve the State Auditor of certain duties and to provide for the transfer of certain employees and of unexpended balance of appropriations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of State Comptroller; to relieve the Board of Administration of certain duties and to provide for the transfer of certain employees and of unexpended balance of appro-

priations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of the State Comptroller; to provide for the transfer of the Secretary of the Senate and Clerk of the House of Representatives to the State Comptroller's Office during such time as the Legislature is not in session; to repeal certain definite, indefinite and contingent permanent appropriations, to establish a State Budget System; to provide for the lapsing of appropriations; to provide for the transmission of the Budget to the Legislature; to provide a method for securing estimates of appropriations and for estimates of income of the State; to provide a tentative budget and to provide for hearings on the same; to provide for transmission of the tentative budget to the Governor; to provide for prorating appropriations to prevent an overdraft or deficit in any fiscal year for which appropriations are made; to provide for allotting appropriations to departments, institutions, bureaus, boards, commissions and other State agencies; to provide emergency appropriations; to provide that money received by departments, institutions, bureaus, boards, commissions, or other State agencies shall be deposited in the Treasury and to provide how the same shall be held and paid out; to prevent the wrongful expending of appropriations and to provide penalties and punishment; to establish a fiscal year for the State and all State Agencies; to provide when this Act shall go into effect and to provide for the repeal of certain laws in conflict with this Act", Approved September 27th, 1932, in so far as the same may or can affect the payment, extension or renewal of certificated warrants outstanding or existing on September 30th, 1932.

By Mr. Darden:

S. 245. For the relief of S. P. Lorren for damages sustained by him to his automobile on or about June 1st, 1931, and for medical and hospital bills paid out by the said S. P. Lorren on or about said date treating the wounds and injuries for Earl Porter and Harvey Warmack as a result of the negligence of the Highway Department Crew working on the Highway between Edwardsville and Fruithurst in Cleburne County, Alabama, and to make an appropriation to pay the same out of any funds in the State Treasury not otherwise appropriated.

By Mr. Garrett (with amendment):

S. 270. "To amend Section 1 of an Act entitled 'An Act to amend Section 2011 of the Code of Alabama of 1923, approved August 31, 1927.'"

By Mr. Teasley (with substitute):

S. 272. In relation to the educational system of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness incurred for capital outlays for institutions under the general or direct control, or subject to the rules and regulations of the State

Board of Education, the Alabama Polytechnic Institute, the University of Alabama and the Alabama College.

Mr. McDowell, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Craft:

S. 271. To amend Section 1490, Code of Alabama, 1923.

By Mr. Tidwell:

H. 113. Defining contract carriers and common carriers by motor vehicle not subject to the provisions of the Alabama Motor Carrier Act of 1931; to authorize, regulate and govern the transportation for hire of persons and property on public highways by motor vehicles operated by such contract carriers and common carriers; to authorize, regulate and govern the issuance of permits therefor; to regulate and govern the rates and practices of such carriers; to provide for the payment of fees, and for the payment of excise taxes for the use of the public highways by such contract carriers and common carriers, and to provide for the disposition thereof; to enlarge the powers and duties of the Alabama Public Service Commission and Probate Judges of the State with respect to permits issued to and the regulation and control of such carriers, and to provide for the payment of fees to such Probate Judges; to provide for the appointment of resident agents (upon whom service of process may be had) of such contract carriers and common carriers who may be non-residents of the State; to authorize municipalities in this State to prescribe license taxes to be paid by such contract carriers and common carriers; to prescribe and regulate the practice and procedure before the Alabama Public Service Commission with respect to said carriers, and to authorize and prescribe appeals from rulings with respect to such carriers, and to regulate injunctions and like orders respecting the same; and to provide for the enforcement, and to prescribe punishment and penalties for the violation of this Act.

Mr. Edmundson, Chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Edmundson:

S. 274. To repeal an Act entitled "An Act to provide for and require all county officers of all counties in Alabama now having or which may hereafter have a population of as much as one hundred and fifty thousand people according to the last Federal Census, or any such census which may hereafter be taken, to install, equip and maintain in addition to their offices at the county sites of such county offices at each other place in such counties where

a Circuit Court or Court of like jurisdiction is now authorized by law to be held, or where such court may hereafter be authorized by law to be held, for the transaction of all business pertaining thereto that may arise in or be connected with that part of such county without which the cases arising therein may be tried in such Circuit Court or court of like jurisdiction at such place, to provide for the selection, qualification and compensation and fix the powers and duties of the deputies of the respective officers of such counties, to act for and assist such officers in the discharge of their duties in connection therewith, to fix the duties of the respective county officers of such counties with reference thereto, to provide equipment for such offices, including stationery, records, books, dockets, furniture, filing cases and other equipment for such offices similar to that kept in the respective offices of such counties at the county site; to prescribe the business of the respective offices and officers of such counties that shall be transacted at such places; to prescribe and regulate the instruments recorded thereat, and to otherwise provide for the installation, equipment and maintenance of such offices and officers at such places for the transaction of all business pertaining to such offices and officers that may arise within such territory of such counties. Approved September 16, 1915.

By Mr. Morrow (with notice and proof):

H. 513. To further define, prescribe and limit the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatsoever name said governing body may now or hereafter be called.

By Mr. Morrow (with notice and proof):

H. 366. To amend Section 3, Section 4 and Section 6. of "An Act to establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace, in said precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory. To define the jurisdiction and powers of said court, the Judge, Clerks and other officers thereof; to define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerk and officers of said court, the payment of their salaries and the manner of their appointment and election," Approved July 7, 1927, and to repeal all laws and parts of laws in conflict therewith.

By Mr. Robinson (with notice and proof):

H. 589. To authorize and direct the County Commission, Board of Revenue, or other like governing body of Jefferson County to draw or cause to be drawn a warrant on the County Treasurer of Jefferson County, Alabama in favor of John Samuel Hines for the sum of \$1,000 covering actual loss sustained

by said John Samuel Hines as a direct and unavoidable result of the performance of his duties as a deputy sheriff in and for said County of Jefferson in the State of Alabama, to direct and require the Treasurer of Jefferson County to pay such warrant out of any money in the treasury not otherwise appropriated, and to provide that this Act shall take effect immediately upon approval by the Governor.

By Mr. Barber (with notice and proof):

H. 596. To further define the powers and duties of the County Commission, or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

By Mr. Edmundson (with notice and proof):

S. 275. To fix the compensation or salary of the Register of the Circuit Court of Jefferson County, Alabama and to regulate the payment of the same.

By Mr. Edmundson:

S. 273. To repeal an Act approved February 3rd, 1923, entitled "An Act to create the office of Deputy Circuit Clerk of the Criminal Division of the Circuit Court in all counties of the State having a population of more than 200,000 according to the last or any subsequent Federal Census; to provide for the appointment of any such officer and the election of his successor; to prescribe the duties, authorities and to fix the compensation of such Deputy Circuit Clerk."

By Mr. West (with notice and proof):

H. 368. To fix the compensation or salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama, in Equity, and to regulate the payment thereof.

By Mr. Bradford of Jefferson (with notice and proof):

H. 372. To require all county officers in Jefferson County, Alabama, to pay into the country treasury all fees, costs, commissions and charges of court, derived from said offices, or moneys charged or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices, or for the sale of any information or copies of any documents, papers, maps or records, relating directly or indirectly to said offices, and to prescribe that the salaries fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their offices or any act or service charged for by them growing out of the performance of their official duties.

By Mr. Bradford of Jefferson (with notice and proof):

H. 508. To fix the compensation or salary of the Deputy Clerk of the Criminal Division of the Circuit Court of the Tenth Judicial Circuit of Alabama, and to regulate the payment of the same.

By Mr. Bradford of Jefferson (with notice and proof):

H. 370. To fix the compensation or salary of the Tax Collector of Jefferson County, Alabama, and to regulate the payment thereof.

By Mr. Tate (with notice and proof):

H. 364. To fix the compensation or salary of the Sheriff of Jefferson County, Alabama, and to regulate the payment thereof.

By Mr. Tate (with notice and proof):

H. 369. To fix the compensation or salary of the Circuit Clerk of Jefferson County, Alabama, and to regulate the payment thereof.

By Mr. Morrow (with notice and proof):

H. 361. To fix the compensation or salary of the Probate Judge of Jefferson County, Alabama, and to regulate the payment thereof.

By Mr. Morrow (with notice and proof):

H. 362. To fix the compensation or salary of the Tax Assessor of Jefferson County, Alabama, and to regulate the payment thereof.

By Mr. Bradford of Jefferson (with notice and proof):

H. 507. To prevent the practice of nepotism by public officials of Jefferson County, Alabama, by employing persons related within the fourth degree by blood or marriage computed according to the rules of civil law or related within said degree to any other public official of said county to define the term "public official" as used in this Act, to prohibit such public official from approving or paying any salary, fee or compensation of such ineligible employee, to prescribe the penalty for the violation of this Act. To except from its operation certain employees who have been in the public employment for a prescribed time.

By Mr. Bradford of Jefferson:

H. 208. To amend Section 25 of an Act entitled "An Act to establish an Inferior Court of Record in all counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to provide officers therefor and to fix their qualifications, powers, duties and compensation; to prescribe the practice and procedure therein and the way, manner and appeals therefrom," Approved July 20, 1931. (General Acts 1931, pages 621, et seq.)

Mr. Darden, Chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Fletcher (with notice and proof):

S. 269. To authorize Board of County Commissioners of Madison County, to donate to Local Chapter of American Red Cross in said County, for relief of destitution, proceeds of excise gasoline tax distributed to said County under the provisions of an Act of

the Legislature of Alabama, approved July 27, 1931; and to repeal all laws in conflict with this Act.

By Mr. Darden (with notice and proof):

S. 276. To provide for a Special Election to be held in Coosa County, Alabama, on the 6th day of December, 1932, to determine whether or not the County Board of Education of Coosa County, Alabama, shall be abolished and a County School Board for Coosa County, Alabama, shall be created and established with three members in lieu thereof; and to provide for the appointment of members of the County School Board for Coosa County, Alabama, by the Governor until the next general election, and thereafter to be elected by the qualified electors of the county and to hold office for a term of four years from the second Tuesday after first Monday in January, after their election; to define the qualifications, duties and powers of members of the County School Board; to fix the compensation of Members of the County School Board and provide the manner of paying the same; to prohibit secret or closed sessions of the Public School Board; to provide for the organization of the Public School Board and to require minutes of each meeting be made within five days after each session and to provide for public inspection of the same; to provide that the provisions of this Act, if ratified by the electors in the Special Election provided for in this Act, shall go into effect on the first day of January, 1933, and if not ratified by the qualified electors of the county in the special election, then all the provisions of this Act, except the Special Election provision, shall go into effect and be operative on the second Tuesday after the first Monday in January, 1935, and Members of the County School Board shall be elected at the general election in 1934 as other county officers are or may be elected; and to require the County School Board of Coosa County, Alabama to comply with all local and general laws, not in conflict with the provisions of this Act; and to repeal all laws and parts of laws in conflict with the provisions of this Act.

By Mr. Darden (with notice and proof):

S. 267. To provide for a Special Election to be held in Coosa County, Alabama, on Tuesday, December 6th, 1932, to determine by the Electors of said County, whether or not the Commissioners' Court of Coosa County, Alabama shall be abolished and a County Board of Revenue created and established in lieu of the Commissioners' Court; to define the number of members on the Board of Revenue, if approved, to define their qualifications, fix their compensation; and prescribe their duties, powers and obligations; to require each member to execute a good and solvent bond in the sum of Five Thousand Dollars, payable to and approved by the Probate Judge of said county; to provide for the appointment and/or election of the members of Board of Revenue and their term of office; to make the Board of Revenue a court of record when acting in judicial capacity, and to require minutes be kept

and subject to public inspection and to prohibit closed or secret sessions of the Board of Revenue; to require the Board of Revenue to buy all County Supplies, in excess of fifty dollars, including books, stationery, records, road machinery, gasoline, motor oil parts for tractors or machinery of the county, from the lowest responsible competitive bidder; to prohibit and punish any member of the Board of Revenue from employing any one related to any member of the Board of Revenue within the fourth degree by blood or consanguinity to do any work for the county, or to act as agent of any member of the Board of Revenue to do or to perform any act for such member; to provide that the Board of Revenue of Coosa County may appoint or elect a qualified and suitable man as County Road Superintendent who shall have control of the working and maintaining of the County public roads, to fix his salary or compensation which shall not be more than One Hundred Dollars per month with actual expenses added not to exceed Twenty-Five Dollars per month; if the Board of Revenue fails or refuses to elect or appoint such Road Superintendent of County Roads for sixty days after this Act goes into effect, the Governor is empowered and directed to make the appointment and fix his compensation and the Board of Revenue may at any time remove such Road Superintendent on ten days' notice, with or without cause, if the financial condition of the county require such removal, and the Board of Revenue or the Governor may fill such vacancy any time the Board of Revenue of Coosa County or the Governor may deem expedient and for the best interests of the county; to provide that members of the Board of Revenue shall not receive for any one month for all services rendered and mileage traveled more than Thirty-five Dollars; to provide that members of the Board of Revenue and the Board of Revenue shall observe all local and general laws not in conflict with the provisions of this Act; to provide that if a majority of the electors of Coosa County, Alabama, shall vote in favor of abolishing the Court of County Commissioners and establishing in lieu thereof a Board of Revenue for the County, then all the provisions of this Act shall go into effect on January 1st, 1933, but if not so approved, this Act with all its provisions shall go into effect on First Monday after the Second Tuesday, in January, 1935.

By Mr. Darden (with notice and proof):

S. 268. To further regulate the actions, duties, obligations, powers and responsibilities of the members of the Commissioners Court, Boards of Revenue, or other similar governing body of Coosa County, Alabama; to require each member of said Commissioners Court, Board of Revenue, or other governing body of said Coosa County, Alabama, to execute a bond in the sum of Five Thousand Dollars for the faithful, honest and diligent discharge of the duties of such offices, and to provide any one injured or dam-

aged by the dishonest, unfaithful or negligence of such officers may maintain a suit in their own name, including the county, for damages sustained by such acts; to prohibit any member of the Commissioners Court, Board of Revenue, or other like or similar body of said county from employing, directly or indirectly, any person related within the fourth degree by affinity or consanguinity to any member of the Commissioners Court, Board of Revenue, or to act as his agent in any capacity, and to provide the Commissioners Court, Board of Revenue, or similar or like governing body of Coosa County, Alabama, to purchase all county supplies, including stationery, books, road machinery, gasoline and motor oil, and all other county requirements in amounts of more than fifty dollars from the lowest competitive and responsible bidder and to provide a penalty for failing to do so; and to provide that this Act shall not repeal any general or local law not in conflict with the provisions of this Act. And to further provide that the members of the Commissioners Court, Board of Revenue, or members of other like or similar governing bodies of Coosa County, Alabama shall not draw in excess of Thirty-Five Dollars per any calendar month for per diem and mileage for all duties or work performed, and to require each member to file a written, itemized and sworn statement of the work done, nature of the same, dates worked, and mileage traveled in the discharge of their official duties.

By Mr. Darden (with notice and proof):

S. 277. To provide for a Special Election to be held in Coosa County, Alabama on Tuesday, December 6th, 1932, to determine by the qualified electors of the county whether or not the offices of Tax Collector and Tax Assessor shall be abolished, and the office of Tax Assessor-Collector created and established in lieu therefor; to define the qualifications, term of office, his powers, duties and obligations of the Tax Assessor Collector; to fix his compensation and fix the manner of paying the same; to provide for a deputy Tax Assessor-Collector, and to fix his compensation at not more than six hundred dollars per annum to be paid in the same manner as the Tax Assessor-Collector's salary is paid; to require the Tax Assessor-Collector to collect and pay into the County Treasury all the commissions, fees and other compensations now received by the Tax Assessor and Tax Collector of said County, or that such officers may be entitled to collect and receive for or on their compensation, as a special fund, and out of that special fund the salary of the Tax Assessor-Collector and his Deputy Tax-Assessor-Collector shall be paid; to provide for the manner and to what purpose any excess of said special fund, over and above the salaries of the tax-assessor-collector and his deputy, may be expended:

And to provide if a majority of the qualified electors of Coosa County, Alabama, shall vote favorably to abolish the offices of Tax

Collector and Tax Assessor of Coosa County, and create and establish in lieu thereof the office of Tax Assessor-Collector, then the provisions of this Act shall become effective, in full force and effect, on the first day of January, 1933, but if not so approved by the qualified electors of Coosa County, then the provisions of this Act shall become effective on September 1st, 1935.

And to provide that the Governor shall appoint a Tax Assessor-Collector for Coosa County, Alabama, in the event the qualified electors shall approve the abolishment of the offices of the Tax collector and tax assessor of Coosa County, Alabama and the creation of the office of Tax Assessor-Collector, who shall serve until next general election when his successor shall be elected; and to provide for the election thereafter of said Tax Assessor-Collector by the qualified electors of the county for term of four years.

And to provide that the Tax Assessor-Collector shall execute a good and solvent bond in the amount now provided by law for tax collectors and tax assessors for the county, and that bond may be made either by personal securities or by a bonding company, authorized to do business in Alabama.

Mr. Wikle, chairman of the Standing Committee on Municipalities and Municipal Organizations reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Teasley, (with substitute as amended):

S. 253. Further to provide for the purchase, construction and improvement of waterworks systems in cities, villages and incorporated towns in the State of Alabama, and to provide for the issuance of revenue bonds payable solely out of the revenues derived therefrom, and to provide for the operation of such systems in case of deficiencies in revenue.

By Mr. Teasley (with substitute as amended):

S. 252. To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby and a lien against such premises.

Mr. Shepherd, Chairman of the Standing Committee on Military, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. McDaniel:

S. 261. To amend section 21 of an act entitled an act "To Provide for the establishment of a base of operations and training for the air service of the Alabama National Guard, including the provision of land for such base and the improvement of such land with buildings, structures and otherwise, and including also the equipping of such buildings and structures; to create a Commission for the accomplishment of the aforestated purpose; to define and prescribe the duties, powers, privileges, immunities and responsibilities of such Commission; and to make an appropriation for the effectuation of the purposes of this Act, approved, July 2, 1931.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 217. To amend Section 2 of an Act entitled An Act "To further prescribe the duties of County Treasurers in counties of more than two hundred thousand population according to the last or any subsequent preceding Federal Census; to provide for clerical assistance for such treasurers for the employment of attorneys to advise and represent such treasurers, and for the compensation of such treasurer, assistants, and attorney; and to require the deposit of county funds", approved October 31, 1921.

Also:

H. 237. To regulate the excusing of jurors in the Circuit Courts of every County in this State, which now have, or may hereafter have, a population of as much as seventy-five thousand people and not more than one hundred thousand people, according to the last decennial census, or any such census which may hereafter be taken.

Also:

H. 245. To amend Section 5270 of the Code of Alabama.

Also:

H. 246. To amend Section 3615 of the Code of Alabama.

Also:

H. 247. To amend Section 5268 of the Code of Alabama.

Also:

H. 315. To fix and regulate the fees of witnesses in criminal cases in the county court and circuit court of Lamar County, Alabama, and before the grand jury of said county, and to provide for the payment thereof and to provide for the collection of witness fees from defendant convicted and for the disposition of the same.

Also:

H. 195. To amend an Act entitled An Act, "To create in all cities of the State of Alabama, which have a population of as much as one hundred seventy thousand people according to the last Federal Census, or which shall have such population according to any

such census that may be taken hereafter, a board of trustees of the firemen's pension and relief fund in connection with the regularly organized and paid fire departments of such cities; to provide for the organization of such board of trustees; to designate certain members of said board and provide the method and time of electing the remaining members thereof; to designate and provide for the selection of officers and agents of said board; to prescribe the powers and duties of said board and its officers and agents; to continue as trustees the members of such board as now exist under existing laws during the terms for which they have been elected, same to be trustees under this Act in their respective cities which are governed by this Act and where this Law applies; to create in all such cities a firemen's pension and relief fund for the benefit and relief of disabled, sick, retired and other members of such fire department, and the widows, minor children and dependent widowed mothers of such disabled and retired members; and to continue benefits and relief under this law to such as are receiving same under existing laws in such cities as are governed by this law; to declare the said Board of Trustees the trustees of such fund, to provide for the use, management and control of said fund; to provide for the raising of such fund and the sources thereof; to provide for the payment into such funds of the fines prescribed and imposed for the violation of certain ordinances of such cities; to provide for the payment into such fund of a certain percentage of the gross premiums, less returned premiums, received by fire insurance companies doing business within such cities, and for the making of a sworn report by such fire insurance companies of such premiums to the said board of trustees, and to prescribe the penalty for failure to make such payment and report, and for enforcing such penalty; to provide for the payment into such fund of a portion of the monthly salary of each member of such fire department; to authorize such cities to pay into such fund a part of the revenue received from licenses issued by such cities; to transfer and convert into the respective Firemen's Pension and Relief funds as created and provided in this Act the respective funds and moneys and properties constituting Firemen's Pension and Relief funds as are existing respectively under existing laws in Alabama in the cities which shall come under and be governed by the provisions of this Act; and to provide for the administration and use of same; to provide for the pensioning and relief of disabled, sick, retired and other members of such fire departments, and the widows, minor children and dependent widowed mothers of such disabled and retired members; to provide for the payment out of such funds of certain expenses attending the burial and funeral of deceased members of such fire department; to provide for the retirement and reinstatement of members of such fire department; to prescribe the duties of the City Attorney and City Physician in connection with the said board of trustees and the said fund; to designate the treasurer

of such fund and his duties; to provide for the repeal of all laws and parts of laws in conflict herewith; to provide for the exemption of benefits of said fund from levy; to provide the time of taking effect of this Act," approved August 9th, 1927.

Also:

H. 413. Providing for and relating to the remedies of a landlord for recovery of possession of rented premises when such possession is wrongfully withheld by the tenant.

Also:

H. 416. To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties.

Also:

H. 460. To authorize and empower the Court of County Commissioners of Crenshaw County, Alabama to levy a privilege license or tax of one cent on all gasoline, woco pep, or any substitute for gasoline, or any other motor fuels used by and in self propelled motor vehicles and sold in said county, or stored in said county for sale, for the privilege of selling the same, and to authorize the Court of County Commissioners of Crenshaw County, Alabama to levy a privilege tax or license of one cent per quart on all lubricating oils sold in said county or stored in said county for sale for the privilege of selling the same, and to provide rules, regulations and machinery for the collection thereof, and to provide penalties for the violation of such rules and regulations, and to provide the punishment for violation of such rules and regulations. Said proceeds from said license or tax on said gasoline and said lubricating oils to be used exclusively for the benefit of the public schools of said county.

Also:

H. 482. To designate the Probate Judge of Tuscaloosa County, Alabama, as ex-officio custodian of the County funds of Tuscaloosa County, Alabama; to provide for his giving bond for the performance of his duties as such and to prescribe his duties as such; to provide for the payment out of the County's funds of the premiums on such bond; to provide for the receipt and disbursement by him of the County funds; to provide for the payment by him of all grand and petit juror certificates and to prescribe his other duties as such ex-officio custodian of the County funds; to provide necessary books to be used in connection with his duties as such; to provide for the employment of an expert accountant annually to examine his books and vouchers, as such ex-officio custodian of the County funds; to provide for recording his annual account and the posting of the same at the Court House door; to fix his compensation and prescribe the forms of accounts to be used; to provide for the deposit by him of the County's funds which come into his hands by virtue of his office with such incorporated State or National Bank, doing business in Tuscaloosa County, Alabama, as

offers, by sealed bids to be opened on the first Monday of December of each year, the highest rate of interest to the County on daily balances, upon such Bank giving good and sufficient security in such amount and in such form as may be approved by the Judge of Probate, as such ex-officio custodian of the County's funds, to protect the County and, or, the custodian of its funds, in the proper handling and safe keeping, by said Bank, of the County's funds which may be deposited with said Bank; to provide for the application, use and disposition of any and all moneys to be derived from the interest on the daily balances of the funds of the County deposited in such Bank; and to provide when this Act shall take effect; and to repeal all laws in conflict therewith.

Also:

H. 531. To relieve all persons of any legal obligations to work public roads or streets in Blount County, Alabama.

Also:

H. 533. To require the County Board of Education of Conecuh County, Alabama, to pay out of the School Funds of said County all expenses of County Superintendent's Office and all expenses of taking school census and to relieve the Board of Revenue from paying for same.

Also:

H. 549. To validate the action of W. R. Jackson, Probate Judge of Lawrence County, Alabama, acting as Chairman of the Court of County Revenues or other like governing body for said County, in issuing warrants on the County Treasurer for the purpose of paying office rent, stationery and office fixtures for the Deputy and County Solicitors for said County since January 15, 1923.

Also:

H. 550. To authorize, empower and direct the Board of Revenue or Court of County Revenues or other like governing body for Lawrence County, Alabama to provide for and furnish to Deputy or County Solicitors for said County suitable office space in the Courthouse of said County, and office supplies, stationery and telephone for said office and to provide for the renting of such offices in the town of the County Site of Lawrence County, Alabama, if in their judgment proper office space is not available in the Courthouse, and to pay for said rent, office supplies, stationery and telephone by warrants drawn by the Judge of the Probate Court as Chairman of the Board of Revenue or Court of County Revenues, or other like governing body for said County, and payable out of the general funds of said County.

Also:

H. 559. To provide that in all cases where the prosecution is commenced in the Justice Court or in the County Court of Henry County, Alabama, and the defendant is acquitted in the Circuit

Court of said County, all costs and fees accruing to the Sheriff and to the Clerk of the Circuit Court of said County, in the discharge of their official duties, respectively, in the trial and conduct of such prosecution, shall, where payment thereof is not otherwise provided for, be charged against the fine and forfeiture fund of the County, to be paid out of such fund, in the manner and as now provided for the payment of other claims therefrom; to provide for the payment from the fine and forfeiture fund of the County, all such outstanding claims now held by such officials from the fine and forfeiture fund, and to confirm, ratify, validate, make legal, effective and binding all payments from said fund of all such claims heretofore made therefrom.

Also:

H. 567. To amend Section 5 of an Act entitled an Act to establish a Court of County Revenues for Lawrence County, and to define its duties and powers, approved December 1, 1898 and as amended by an Act approved 6th day of September, 1927 and to provide for the payment of services of members of the Court of County Revenues out of the gasoline funds for Lawrence County, Alabama.

Also:

H. 570. To amend Section 9 of the Local Acts of the Legislature of Alabama of 1911, at pages 275 and 276, entitled an Act to establish an Inferior Civil Court in lieu of Justice of the Peace for all precincts lying within or partly within the City of Mobile, approved April 15, 1911, as amended by the Local Acts of the Legislature of Alabama, of 1923, at page 216, entitled an Act to amend Section 7 of an Act entitled an Act to establish an Inferior Civil Court in lieu of Justices of the Peace for all precincts lying within or partly within the City of Mobile, said amendment of 1923 having been approved on the 24th day of September, 1923.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following

enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 181. To abolish the office of Deputy Solicitor and the office of Assistant Circuit Solicitor in and for the Twenty-third Judicial Circuit composed of Madison County, and to repeal all laws, general, special or local, in conflict with the provisions of this Act, insofar as they relate to Madison County, Alabama.

S. 182. To amend an Act, approved April 4, 1911, entitled: "An Act to establish in Precinct One, in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and notaries public with the power of the Justices of the Peace, in said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof," as amended by Local Act of the Legislature of Alabama, approved July 27, 1923, and as amended by Local Act of the Legislature of Alabama, approved March 2, 1931, by amending Section 23 of said amended Act.

S. 196. To amend Section 1 of an Act entitled: "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration of Alabama and the Chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches, for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama," approved August 31, 1927.

S. 197. To provide for the leasing to the State Highway Department of the State of Alabama by the Alabama State Bridge Corporation of all of the bridges and other property now owned by the Alabama State Bridge Corporation; to provide the method and manner of execution of said lease and the future use of said property, and to make an appropriation therefor.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Report of Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.

Gentlemen:

I am herewith returning to the Senate, the body in which it originated, Senate Bill No. 125, without my approval.

I am suggesting two amendments to the bill, which if adopted will cause it to meet my approval.

I recommend the following amendments:

1. Amend Section 3 so that it will read as follows:

"If such land shall be used for a bridge, road or causeway over navigable waters, or for bridge-head or approach thereto or for terminal facilities, depots, storage or sale yards, stores, warehouses, or wharves abutting on such bridge or road or causeway, the plans for such bridge, road or causeway shall be approved by the United States Engineer officers or other Federal authority having jurisdiction, and by the State Docks Commission and the Governor of Alabama, and when so approved and when improved pursuant to such approval the title to the said lands and the entire improvements thereon shall vest in such riparian owner without further approval when the bridge, road or causeway shall be constructed pursuant to the plans so approved."

2. Amend Section 4 by striking the words, "State Harbor Board or like state authority having jurisdiction over harbor lines, if any," and by substituting therefor the following: "State Docks Commission and the Governor of Alabama".

My reason for being unwilling to approve the act without these amendments and for recommending these amendments is that the title to the State in tide lands should be protected and that since the authority over such matters has been given to the State Docks Commission with the approval of the Governor that the title should in no case be divested out of the State without the approval of the State Docks Commission and the Governor.

Respectfully,

B. M. Miller,
Governor.

October 25, 1932.

GOVERNOR'S MESSAGE

On motion of Mr. Craft, the Senate concurred in and adopted the amendment purposed by his Excellency, the Governor, to the bill:

S. 125. To encourage the building of bridges, causeways and other development work and relief work upon and abutting on tide lands, the title to or control of which may now or hereafter be vested in the State of Alabama, which shall not have been improved by or under valid public authority and shall not be otherwise devoted to public use, by authorizing the improvement and use thereof and of the abutting submerged lands so improved, and the vesting of title thereto in owners of the abutting riparian land, under and subject to the conditions and approval stated in the Act.

Said amendment being set out in the foregoing Message from His Excellency, the Governor.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Beasley
Bonner

Caffey
Cooper

Craft
Farmer

Faulk
Fletcher

Goodwin	Hubbard	McDaniel	Riddle
Hildreth	Jordan	McDowell	Walker
Hooton	Lapsley	Mullins	Wikle

—20

Which was the majority of the whole number elected to the Senate.

And said bill, as thus amended by the amendment of his Excellency, the Governor, was again read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:			
Beasley	Edmundson	Lapsley	Riddle
Bonner	Farmer	McDaniel	Teasley
Caffey	Fletcher	McDowell	Walker
Cooper	Goodwin	Mullins	Warren
Craft	Jordan	Powell	Wikle

—20

Which was the majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has nonconcurred in the Senate amendment to the bill:

H. 449. To require and levy an occupation, license or privilege tax on every person who is an official of the State of Alabama, or who is employed by the State of Alabama, or by any department, agency, commission, board or institution of the State of Alabama, or who is an official of any county of the State of Alabama or an employee of any county, or of any agency, board, or commission of said county, or who is an official or employee of any municipality or of any department, agency, commission, or board of any municipality, and whose compensation, either from salary or fees, exceeds the sum of \$1,200.00 per annum; to provide that the warrant, check or voucher for the payment of the salary of such official or employee shall be for the amount of the salary or compensation less the said tax and that where the compensation is by fees instead of salary the official or employee receiving such fees shall report the same and shall pay into the Treasury of the State, County or Municipality, the amount of the said tax, and to provide for the time of payment of such tax.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 65. Making the purchase, or receiving for sale, or in pledge, or on storage, or for safe keeping from unauthorized persons of railroad equipment or of articles of iron, brass, or other metal manufactured exclusively for railroad purposes a misdemeanor, and prescribing the penalty therefor, and providing what shall constitute prima facie evidence of this Act.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and sends same herewith to the Senate:

By Mr. Beebe:

H. 249. To provide and create a Commission form of Government and to permit the adoption of the same in lieu of Courts of County Commissioners, Boards of Revenue and other governing bodies of the several counties, and in lieu of County Boards of Education and other like educational governing bodies of the several counties in the State which now have or may hereafter have a population of less than seventy-five thousand (75,000) people according to the last Federal Census, or any Federal Census hereafter taken, to be known as the County Commission, by a vote of the qualified electors of such counties; to provide the manner of calling and holding such elections; to prescribe and limit the duties, powers, jurisdiction, authority and privileges of such County Commission and of the members thereof, and the manner of the exercise of such duties, powers, jurisdiction, authority and privileges; to provide the members of such County Commission, their qualifications, the time and manner of their election, their terms of office and their compensation; and to abolish the Courts of County Commissioners, Boards of Revenue and other governing bodies of such counties, County Boards of Education and other like educational governing bodies of such counties when such Commission form of government is created and adopted; and to confer on the County Commission created and adopted under this Act and the members thereof all the duties, powers, jurisdiction, authority and privileges of the Courts of County Commissioners, Boards of Revenue and other governing bodies of such counties and of the members thereof, and of the County Boards of Education and other like educational governing bodies of such counties and the members thereof when such Commission form of government is created and adopted.

Also:

By Mr. Sanderson:

H. 574. To amend Section 4820 of the Code of Alabama.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate standing committees as follows:

H. 249, to the Committee on County and County Boundaries.

H. 574, to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Norman:

H. 584. "An Act to aid relief of unemployment or destitution, existing or prospective, and to provide employment for excess labor, by authorizing the Governor of Alabama to accept title on behalf of the State to any lands subjected by the owner to any program deemed by him in aid of such purposes, under such terms for their holding, development, conveyance or reconveyance by the State as he may approve; also to authorize the Governor to agree, as to any such lands and as to any other lands to which title or any interest therein is vested in the State not otherwise held in trust or devoted to public use, with any person, firm, corporation or relief agency approved by him for the purpose upon a program for the holding, use or development and disposition of any such lands for said purposes and for their release therefrom; to authorize any or all such lands to be subjected by and with the approval of the Governor to any lien, conditional sale, lease sale contract, reservation of title, mortgage or other condition or agreement to secure any loan or advance made in furtherance of the program; to authorize the Governor to lend or make available the aid of the State Board of Administration, the State Highway Department or any other State agency (or county agency, the corporate authority of which shall consent) in furtherance of such program and to authorize the Governor to act in the premises directly or through any officer, person, firm, corporation, relief agency or commission to which he may specifically delegate authority in the premises under such appropriate limitations as he may prescribe; also to provide for the exemption from privilege taxes of the instruments executed or delivered in furtherance of such program and for the exemption from ad valorem taxes of such lands and improvements and equipment thereon, and the crops and produce thereof until paid out or otherwise released from the program to the extent provided in the Act.

Also:

By Mr. Norman:

H. 585. To authorize municipalities and counties, within their respective jurisdictions as defined by the Act, to regulate housing

and farm relocation corporations which shall subject themselves to this Act as provided herein."

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate standing committee as follows:

House Bills 584 and 585, to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Pierce:

H. 527. To make state aid available for the repair and equipment of municipally owned school buildings under the control of county boards of education.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bill in the foregoing House Message was read once and referred to appropriate standing committee as follows:

H. 527, to the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Bradford (of Jefferson):

H. 358. To amend Section 1 of an Act entitled "An Act to authorize all cities and towns within the State of Alabama to fix and collect licenses for any business, trade or profession done outside the corporate limits but within the police jurisdiction thereof", approved September 6, 1927.

Also:

By Mr. Bradford (of Cherokee):

H. 415. To amend an Act approved September 9th, 1927, entitled: "An Act to advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes in the State of Alabama other than for schools owned or controlled by any religious sect or denomination."

Also:

By Mr. Sutton (with notice and proof):

H. 622. To require all warrants, claims, drafts or certificates for salaries, expenses or other claims of State and County officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable, in whole or in part, upon warrants, claims, drafts or certificates drawn upon the County Treasurer, County Treasury, or County Depository of Marengo County, Alabama, by such officers or persons, to be itemized, verified and presented to the Board of Revenue of said County, for audit, allowance and payment; to take away from such officers and other persons the authority to draw such warrants, claims, drafts or certificates; and to provide that all warrants, claims, drafts or certificates drawn on or against County funds hereafter shall be authorized and drawn only by the Board of Revenue of Marengo County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

To Whom It May Concern:

Take notice that at a special session of the Legislature of Alabama, called to be held at Montgomery, Alabama, commencing on August 16th, 1932, a bill, in substance as follows, will be introduced and the passage thereof applied for, namely:

A BILL TO BE ENTITLED AN ACT

To require all warrants, claims, drafts or certificates for salaries, expenses or other claims of State and County officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable, in whole or in part, upon warrants, claims, drafts or certificates drawn upon the County Treasurer, County Treasury, or County Depository of Marengo County, Alabama, by such officers or persons, to be itemized, verified, and presented to the Board of Revenue of said County, for audit, allowance and payment; to take away from such officers and other persons the authority to draw such warrants, claims, drafts or certificates; and to provide that all warrants, claims, drafts, or certificates drawn on or against County funds hereafter shall be authorized and drawn only by the Board of Revenue of Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That all warrants, claims, drafts or certificates, for salaries, expenses, and other claims of state and county officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable in whole or in part upon warrants, claims, drafts or certificates, drawn upon the County Treasury, County Treasurer, or County Depository of Marengo County, Alabama, by such officers or persons, shall be itemized, verified and presented to the Board of Revenue of said County for audit and allowance, as other claims against said County are now required to be presented to the Board of Revenue for said County; and said officers and persons shall not hereafter be authorized to draw warrants, claims, drafts or certificates upon the County Treasury, County Treasurer or

County Depository of said County; and that all warrants, claims, drafts or certificates hereafter drawn on said county's funds or treasury shall be authorized and drawn only by the Board of Revenue of Marengo County, Alabama; and said Board of Revenue shall keep a record of every warrant, claim, draft or certificate, so drawn, showing the date, amount, and to whom and for what issued.

Section 2. That all laws and parts of laws in conflict herewith are hereby expressly repealed in so far as they relate to Marengo County, Alabama.

Section 3. That this Act shall become effective from and after January 1st, 1933.

State of Alabama, }
Marengo County. }

Before me, Irving Adams, a notary public in and for said State and County, personally appeared R. E. Sutton, who being by me first duly sworn, says that he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, State of Alabama, and that the Notice of A Bill to be entitled an Act to require all Warrants, Claims, Drafts or Certificates for salaries, expenses or other claims of State and County officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable in whole or in part upon warrants, claims,—etc., copy of which is hereto attached, was published in the said newspaper, The Democrat-Reporter, for four Consecutive Weeks, to-wit, in the issues dated September 8, 1932; September 15, 1932; September 22, 1932; September 29, 1932, and that each of said above issues was duly circulated among the subscribers of said newspaper.

R. E. SUTTON,

Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this the 10th day of October, 1932.

IRVING ADAMS,

Notary Public.

My commission expires January, 1935.

Also:

By Mr. Lee of Coffee (with notice and proof):

H. 452. To relieve the tax assessor of Coffee County, Alabama, from the duty of preparing a book of assessments, as is now required by General Law, and in lieu thereof to provide that the original assessment lists or sheets shall be permanently bound and kept as a permanent record; and to provide that tax collector's abstracts shall be made from said assessment sheets so bound.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF APPLICATION FOR LOCAL LAW

Notice is hereby given that an application will be made by Bill introduced at the Special Session of the Legislature of Alabama, called to convene on August 16, 1932, providing that the assessment Lists or Sheets shall constitute the Book of Assessments as required by the General Revenue Laws of Alabama, and that the Tax Assessor of Coffee County shall not be required to prepare a book of assessments as provided by the general revenue laws, but that the original assessment sheets be permanently bound and shall constitute the Book of Assessments for Coffee County, Alabama, and that the Tax Collector's Abstracts shall be made direct from these assessment lists.

This August 12, 1932.

W. H. EDMUNDS, Tax
Assessor, Coffee County.

AFFIDAVIT OF PUBLICATION

State of Alabama, }
Coffee County.

Before me, Circuit Clerk, in and for said State and County, personally appeared C. B. McDowell, Asst. Editor, who states on oath that he is the Asst. Editor of THE ELBA CLIPPER, a newspaper published weekly at Elba, Alabama, in said County and State, and that the Notice hereto attached was published in said newspaper for a period of 4 consecutive weeks on the following dates, to-wit: Aug. 18, 1932; Aug. 25, 1932; Sept. 1, 1932; Sept. 8, 1932.

C. B. McDOWELL,
Asst. Editor The Elba Clipper.

Sworn to and subscribed before me, on this the 19 day of September, 1932.

(Seal) L. B. CLARK,
Circuit Clerk.

Also:

By Mr. Sutton (with notice and proof):

H. 599. To regulate and prohibit the use of steel traps in Marengo County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that at the special session of the Legislature of Alabama a bill will be introduced to regulate and prohibit the use of steel traps in Marengo County.

State of Alabama, }
Wilcox County.

Before me, Dan Gullett Cook, a notary public and ex officio J. P., in and for said State and Wilcox, personally appeared R. E. SUTTON, who being by me first duly sworn, says that he is the publisher of THE DEMOCRAT-REPORTER, a newspaper published at Linden, in Marengo County, State of Alabama, and that the NOTICE OF A Bill to Regulate and Prohibit the Use of Steel Traps in Marengo County, copy of which is hereto attached, was published in the said newspaper, The Democrat-Reporter, for four consecutive weeks, to-wit, in the issues dated August 18, 1932, August 25, 1932, Sept. 1, 1932, Sept. 8, 1932, and that each of said above issues was duly circulated among the subscribers of said newspaper.

R. E. SUTTON,
Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this the 6th day of Oct. 1932.

DAN GULLETT COOK,
Notary Public & Ex Officio Justice of the Peace.

My commission expires 19.....

Also:

By Mr. Sutton (with notice and proof):

H. 621. To amend Section 7 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

To All Whom It May Concern:

Take notice that at a special session of the Legislature of Alabama, called to be held at Montgomery, Alabama, commencing on August 16th, 1932, a bill, in substance as follows, will be introduced and the passage thereof applied for, namely:

A BILL TO BE ENTITLED AN ACT

To amend Section 7 of An Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Be It Enacted by the Legislature of Alabama:

Section 1. That section 7 of an Act to establish a Board of Revenue for Marengo County and for the abolishment of the Court of County Commissioners of said County, approved September 19, 1923, be, and the same hereby is amended so as to read as follows: Section 7. That said Board of Revenue shall elect a Clerk, and fix his compensation, and employ such other clerical assistance as may be necessary, and it shall be the duty of the Clerk of the Board of Revenue to attend the meetings thereof and issue all notices required by it. The Clerk, shall, under the direction of said Board of Revenue, keep the minutes and records of the proceedings thereof, in well bound volumes provided for that purpose, said records to be kept in the office of the Board of Revenue, and to be open at all reasonable hours to the inspection of the citizens of the county and other interested persons; and the Clerk shall perform such other duties and matters as may be required of him by said Board of Revenue. The compensation of said Clerk and of all other clerical assistants shall be fixed by said Board of Revenue and their terms of office shall be at the pleasure of said Board of Revenue. That before entering upon the discharge of his duties said Clerk shall take the same oath as the members of said Board of Revenue are required to take, and shall give a good and sufficient bond, with good and sufficient surety, payable to the County of Marengo, in such amount as may be fixed and prescribed by said Board of Revenue, which bond shall be filed with and approved by the Judge of Probate of Marengo County, with conditions faithfully to discharge the duties of such office during the time he continues therein or discharges any of the duties thereof, the premium on said bond to be paid out of the County Treasury on certificate or warrant signed by the President or President pro tem of said Board of Revenue. That said Clerk shall keep a record of every warrant, claim, draft or certificate issued by or under the authority of the Board of Revenue, showing the date, amount, and to whom and for what issued, and shall counter-sign the same, and shall also keep a record of all notes, bonds, contracts or agreements made, given or issued by or in the name of Marengo County, showing the date, amount, object and purpose thereof and to whom given and for what purpose made or issued, and countersign the same; and said Clerk shall also, under the direction, supervision and control of said Board of Revenue, install and keep a general set of books showing the true and correct financial condition of Marengo County and the income thereof, the source from which derived, how or in what way the same is paid out and expended, and an itemized account of each fund handled, expended or controlled by said Board of Revenue and in what way the same is paid out and disbursed; and at the September meeting each year of said Board of Revenue said Clerk shall

make up and file with it a detailed estimate and statement of the income from each fund for the coming fiscal year, and a detailed statement of the fixed expenses and charges against each of said funds.

Section 2. That this Act shall become effective from and after January 1st, 1933.

State of Alabama, }
Marengo County. }

Before me, Irving Adams, a notary public in and for said State and County, personally appeared R. E. Sutton, who being by me first duly sworn, says that he is the publisher of The Democrat-Reporter, a newspaper published at Linden, in Marengo County, State of Alabama, and that the Notice of a Bill To Be Entitled An Act to Amend Section 7 of an Act to Establish a Board of Revenue for Marengo County, and for the Abolishment of the Court of County Commissioners of said County, approved September 19, 1923, copy of which is hereto attached, was published in the said newspaper, The Democrat-Reporter, for four Consecutive Weeks, to-wit, in the issues dated September 8, 1932; September 15, 1932; September 22, 1932; September 29, 1932, and that each of said above issues was duly circulated among the subscribers of said newspaper.

R. E. SUTTON,

Publisher of The Democrat-Reporter.

Sworn to and subscribed before me this the 10th day of October, 1932.

IRVING ADAMS,

Notary Public.

My commission expires January, 1935.

Also:

By Mr. Granade (notice and proof):

H. 649. To place the Probate Judge, Tax Assessor, Tax Collector, Clerk of the Circuit Court and the Register in Chancery of Mobile County, Alabama, on a salary basis, and to provide the salaries to be paid each of such officers; to provide the date on which each of such officers shall be placed on a salary basis; to provide for the manner of payment of the salaries of such officers out of the County Treasury of Mobile County, Alabama; to provide secretaries, clerks, assistants, clerical help and allowances for each of such officers and to provide the salaries and manner of payment of such salaries for such secretaries, clerks, assistants and clerical help; to provide for payment into the Treasury of Mobile County of all fees, fines and forfeitures collected by said officers; and to provide that nothing in this Act shall be construed to mean that the Tax Collector and Tax Assessor shall not be entitled to the fees, salaries and commissions now provided by law for the collection of public school moneys.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill will be introduced at the Special Session of the Legislature now in session, and which was convened at the call of the Governor of Alabama, which bill will be introduced for the purpose of its passage by said Legislature and its becoming a law:

A BILL TO BE ENTITLED AN ACT

To place the Probate Judge, Tax Assessor, Tax Collector, Clerk of the Circuit Court and the Register in Chancery of Mobile County, Alabama, on a salary basis, and to provide the salaries to be paid each of such officers; to provide the date on which each of such officers shall be placed on a salary basis; to provide for the manner of payment of the salaries of such officers out of the County Treasury of Mobile County, Alabama; to provide secretaries, clerks, assistants, clerical help and allowances for each of such officers and to provide the salaries and manner of payment of such salaries for such secretaries, clerks, assistants and clerical help; to provide for payment into the Treasury of Mobile County of all fees, fines and forfeitures collected by said officers; and to provide that nothing in this Act shall be construed to mean that the Tax Collector and Tax Assessor shall not be entitled to the fees, salaries and commissions now provided by law for the collection of public school moneys.

Be It Enacted by the Legislature of Alabama:

Section 1. At the beginning of the next terms of office after the approval of this Act, the following named officers of Mobile County, Alabama, shall be paid on a salary basis for public services performed: The Tax Assessor, Tax Collector, Clerk of the Circuit Court and Probate Judge; and beginning on January 1, 1935, the Register in Chancery of Mobile County, Alabama, shall receive compensation for public services performed, on a salary basis.

Section 2. At the beginning of the next term of office after the approval of this Act, the Tax Assessor, Tax Collector, Clerk of the Circuit Court and Probate Judge, shall during the last five days of each and every month of the year, pay into the County Treasury of Mobile County, all fees, fines and forfeitures collected or received by such officers during the month or part thereof next preceding the date of such payment or settlement; and beginning January 1, 1935, the Register in Chancery of Mobile County, Alabama, shall, during the last five days of each and every month, pay into the Treasury of Mobile County all fees collected by such officers during the month, or part of the month, next preceding the date of such payment or settlement.

Section 3. Beginning at the next term of office of the Probate Judge next after the approval of this Act, the Probate Judge of Mobile County shall receive the following yearly salary and may employ the following secretaries, clerks and assistants, who shall receive the following yearly salaries: The Probate Judge shall receive a yearly salary of Six Thousand Dollars, and the Probate Judge may employ as assistants: One Chief Clerk at Thirty-Six Hundred Dollars per annum, one secretary at Eighteen Hundred Dollars per annum, one clerk at Twenty-four Hundred Dollars per annum, one clerk at Sixteen Hundred and Twenty Dollars per annum, one clerk at Twelve Hundred Dollars per annum and four clerks whose total compensation per annum shall not exceed Thirty-six Hundred Dollars, the salary of each of the four last mentioned clerks to be fixed by the Probate Judge.

Section 4. Beginning at the next term of office of the Tax Collector of Mobile County, next after the approval of this Act, the Tax Collector of Mobile County shall receive the following yearly salary and may employ the following clerks and assistants at the following named yearly salaries: The Tax Collector shall receive a yearly salary of Four Thousand Dollars, provided nothing in this Act shall be construed to mean that the Tax Collector shall not receive in addition such fees, commissions or salaries, as are now or hereafter may be provided by law for the collection of public school moneys. The Tax Collector may employ one chief clerk, at a salary of Three Thousand Dollars per annum, two clerks who shall receive as total compensation not to exceed Forty-eight Hundred Dollars, the exact salary of each of the last two mentioned clerks to be fixed by the Tax Collector, and shall be entitled to an allowance of Twelve Hundred Dollars per annum for the employment of such extra clerical help as the Tax Collector deems necessary to employ.

Section 5. Beginning at the next term of office of the Tax Assessor, next after the approval of this Act, the Tax Assessor of Mobile County, shall receive the following yearly salary and may employ the following clerks and assistants: The Tax Assessor of Mobile County shall receive a salary of Forty-five Hundred Dollars per annum, provided nothing in this Act shall be construed to mean that the Tax Assessor shall not receive in addition such fees, salaries or commissions as are now or hereafter may be provided by law for the assessment of property for public school purposes; and the Tax Assessor may employ: One chief clerk at a salary of Thirty-six Hundred Dollars per annum, one clerk at a salary of Eighteen Hundred Dollars per annum, three clerks whose total compensation shall be Thirty-six Hundred Dollars per annum, and the Tax Assessor shall be entitled to an allowance of Eighteen Hundred Dollars per annum to be used for employing such extra clerical help as the Tax Assessor deems necessary.

Section 6. Beginning at the next term of office of the Clerk of the Circuit Court, next after the approval of this Act, the Clerk of the Circuit Court of Mobile County shall receive the following yearly salary, and may employ the following clerks and assistants at the following yearly salaries: The Clerk of the Circuit Court shall receive a salary of Forty-eight Hundred Dollars per annum and may employ as assistants: One clerk to serve as clerk of the Criminal Division of the Circuit Court at an annual salary of Thirty-six Hundred Dollars; one clerk to serve on the Civil Division of the Circuit Court at an annual salary of Twenty-four Hundred Dollars, and the Clerk of the Circuit Court shall be entitled to an allowance of Thirty-six Hundred Dollars per year to be used by the said Clerk in employing such other assistants as he deems necessary.

Section 7. Beginning on January 1, 1935, the Register in Chancery of Mobile County shall receive an annual salary of Thirty-six Hundred Dollars per annum and may employ as assistants: One Deputy Register in Chancery at a salary of Twenty-four Hundred Dollars per annum, and the Register in Chancery shall be entitled to an allowance of Eighteen Hundred Dollars per annum for such additional assistants as he may deem necessary to employ.

Section 8. During the last day of each and every month, after this Act shall become effective, or on the next day thereafter in the event the last day of the month falls on Sunday, the Probate Judge of Mobile County shall prepare a pay roll upon which shall be listed the monthly salaries due the Probate Judge, the Tax Assessor, Tax Collector, Clerk of the Circuit Court, the Register in Chancery and their assistants entitled to pay for the preceding month, the said pay roll to be prepared by the said Probate Judge from certificates submitted to the Probate Judge by each of the other four officers, detailing the amount due the officer and his assistants; and the Probate Judge shall also prepare a certificate showing the salary due himself and his assistants, and the Probate Judge of Mobile County shall keep in his office a separate file in which such certificates and pay roll shall be kept and preserved as are other public records. Upon the completion of the pay roll, the Probate Judge shall draw warrants on the County Treasury of Mobile County, Alabama, payable to such officers, including the Probate Judge, and the assistants and clerks of such five officers mentioned in this Act. The said warrants shall be payable out of the County Treasury of Mobile County, Alabama. The salaries of all the five officers and their assistants shall be payable in monthly installments.

Section 9. The Probate Judge, Tax Collector, Tax Assessor, Clerk of the Circuit Court and Register in Chancery shall receive such office equipment, stationery, and other office supplies as are now provided for by law.

Section 10. All laws or parts of laws in conflict with this Act, insofar as they apply to Mobile County, are hereby expressly repealed.

Section 11. This act shall become operative immediately upon the proclamation of the Governor declaring that the qualified electors of the State of

Alabama have ratified the constitutional amendment authorizing the Legislature to place the above mentioned officers on a salary basis.

State of Alabama }
County of Mobile }

Personally appeared before me Marie Layton, a Notary Public in and for said State and County, J. G. McDonnell, who, being by me first duly sworn, deposes and says as follows: My name is J. G. McDonnell and I am Clerk of the Mobile Press, a newspaper published in the City and County of Mobile, State of Alabama, by the Mobile Daily Newspapers, Inc., and I hereby certify that the attached notice as to the introduction of a bill fixing the salaries of Tax Assessor, etc., in Mobile County, Alabama, was published in the City and County of Mobile, State of Alabama, for four consecutive weeks on the following dates, viz: Sept. 19, Sept. 26, Oct. 3, Oct. 10, 1932, respectively, and same being published without cost to the State of Alabama.

J. G. McDONNELL.

Subscribed and sworn to before me this 12th day of October, 1932.

MARIE LAYTON,

(Seal)

Notary Public, Mobile County, Ala.

Also:

By Mr. Manasco (notice and proof):

H. 652. To amend section (4) of an Act entitled an Act to amend Sections (4) and (6) of an Act entitled an Act "To prescribe the qualifications and term of the judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority, approved July 17, 1931."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF SPECIAL LEGISLATION

Notice is hereby given that a bill reading substantially as follows will be introduced at the present Special Session of the Legislature:

To amend Section (4) of an Act entitled an Act to amend Sections 4 and 6 of an Act entitled an Act "To prescribe the qualifications and term of the judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority, approved July 17, 1931."

Be It Enacted by the Legislature of Alabama:

1. That Section (4) of an Act entitled an Act to amend Sections (4) and (6) of an Act entitled an Act: "To prescribe the qualifications and term of the Judge of County Court of Walker County, Alabama, and to provide for his appointment and election" approved July 17, 1931, be amended so as to read as follows:

Section (4)—That the Judge of the County Court of Walker County, Alabama, after the approval of this Act, shall be paid a salary of \$200.00 per month, to be paid as a preferred claim out of the general funds of Walker County, Alabama, upon warrant drawn by said judge upon the treasury of Walker County.

(Signed) CARTER MANASCO.

The State of Alabama }
Walker County }

Before me, the undersigned authority in and for said State and County, this day personally appeared R. W. Boteler, Assistant Manager of The Mountain Eagle, a newspaper published at Jasper, Walker County, Alabama, who,

being duly sworn, says that the Legal Notice, copy of which is hereto attached, was published in the said Mountain Eagle once a week for four consecutive weeks namely Sept. 14, 21, 28 and Oct. 5, 1932.

R. W. BOTELER,
Assistant Manager.

Sworn and subscribed before me, this 11 day of October, 1932.

MRS. ANNIE DAVIS,
Notary Public.

(Seal)

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate standing committees as follows:

H. 358, to the Committee on Finance and Taxation.

H. 415, to the Committee on the Revision of Laws.

House Bills 622, 452, 599, 621, 649 and 652 to the Committee on Local Legislation.

MOTION TO TAKE FROM ADVERSE CALENDAR

Pursuant to notice heretofore given, Mr. Mullins moved to take from the Adverse Calendar, have the same read a second time and placed on the Regular Calendar, the bill:

S. 257. To repeal Sections 4615 to Section 4800, both inclusive, of the Code of Alabama of 1923 and to provide that the sale of any beverage made legal by the Congress of the United States shall be legal in the State of Alabama.

Mr. Bonner moved to lay said motion on the table, which motion prevailed and the Senate tabled the motion to take from the Adverse Calendar.

Yeas, 24; nays, 9.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Caffey
Cooper
Darden

Duncan
Garrett
Goodwin
Hildreth
Hooton
Hubbard

Jordan
Kelley
Lapsley
McDaniel
Millsap
Powell

Riddle
Scruggs
Shepherd
Walker
Warren
Wikle

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Nays:

Messrs.:

Cowart
Craft
Delony

Edmundson
Faulk

Fletcher
McDowell

Mullins
Teasley

— 9

RESOLUTIONS

Mr. McDowell offered the following Joint Resolution:

S. J. R. 83. Be it resolved by the Senate, the House concurring, that when the two Houses adjourn today, they will reconvene at 10 o'clock on Thursday, October 27th at 10 o'clock a. m.

And on motion of Mr. McDowell the rules were suspended and the resolution was adopted.

Mr. Bonner offered the following Joint Resolution:

S. J. R. 84. Be it resolved by the Senate, the House concurring that a Committee on Conference on H. 449 be appointed to consist of three members of the Senate and three members of the House.

And on motion of Mr. Bonner, the rules were suspended and the resolution adopted.

Thereupon, the President of the Senate appointed as conferees on part of the Senate, Messrs. Bonner, Mullins and Hooton.

Mr. Garrett offered the following Joint Resolution:

S. J. R. 85. Be it resolved by the Senate of Alabama, the House of Representatives concurring, as follows:

WHEREAS, the Legislature is now beginning the last five days of its Special Session, and during that time a Bill can be passed through the Legislature if the same is acted upon properly by both Houses without delay. And,

WHEREAS, it is important and most necessary that the Legislature, in order to be consistent in its efforts to reduce the expenses of government in the future, and fair with the people in its honest desire to save the wasteful expenditure of money as is being done under existing laws, and conservative in the legislative enactments adopted which tend to establish a new system of expenditures in the Executive and Judicial Branches of our Government, but as yet have not changed or remedied anything in connection with the expenditures in the Legislative Branch of our Government. And,

WHEREAS, under an Act of the Legislature passed in 1927, and approved January 17, 1927, as shown in said Acts on page 15, the Senate and House of Representatives have the authority by resolution at any time to increase the number of Clerks and their assistants to any proportions desired, there being no limitation of any kind as to the number that may be added, as shown by the provisions of said referred to Act. And by a subsequent Act of the 1931 Legislature, approved February 20, 1931, and set out in said Acts on pages 67-68, the per diem of the subordinate officers and employees of the Senate and House could be fixed at any time by resolution. The effect of the said referred to Acts being to open wide the gates of extravagance and waste to an unlimited number of employees with a per diem in such amount as the Senate or House at any time may see fit to fix, and,

WHEREAS, the costs of Legislative Sessions under the provisions of said referred to Acts of 1927 and 1931 have so greatly

increased by comparison with the Sessions of 1923 and prior Legislative Sessions, as to become a matter of public notoriety and public censure and condemnation. And,

WHEREAS, there was introduced and passed in the Senate at this Special Session S. 23, to repeal the Act of 1931 referred to above, and there is introduced in the Senate today an Act to repeal the provisions of said laws whereby the Senate or House could by resolution increase the number or change the per diem of the subordinate officers and employees of the Legislature; said referred to Act as now introduced fixing the number and the per diem of said officers and employees in the future. And,

WHEREAS, from the standpoint of removing from the statute books of the State enactments that never should have been adopted, as their demoralizing influence and effect have been shown in the records of the 1927 and the 1931 sessions, and in order to restore Legislative Sessions in the future to the old basis of conservative economy and consistent expenditures in line with the other Departments of Government, it is absolutely necessary and right that the two referred to Acts now pending in the Senate and House be adopted and enacted into Laws.

NOW, THEREFORE, BE IT RESOLVED that the said House of Representatives proceed at once to report from Committee Senate Bill No. 23, and put the same on immediate and special call so as to pass the same as quickly as possible.

BE IT FURTHER RESOLVED, that the Senate report back at once S. 278 this day introduced in said Senate, in order that the same may have its second reading on the next Legislative Day and passed as quickly as possible. And that the House will act upon said bill promptly and immediately on its being received in the House so that it may have its second reading there on the next Legislative Day and finally enacted into law on the final day of this session.

BE IT FURTHER RESOLVED, that the President of the Senate and Rules Committee in the Senate, and the Rules Committee in the House and the Speaker of the House, be, and they are, hereby, earnestly requested to see that such Legislative steps are taken as will promptly, immediately and finally pass and enact into laws the said referred to Senate Bills for the regulation and control of Legislative expenditures in future Legislatures.

BE IT FURTHER RESOLVED, that a copy of this resolution, said copies being attached hereto, be delivered to the President of the Senate, and a copy to the Speaker of the House, in order that the request herein made may be considered and acted upon to the great benefit of the people of the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. Powell, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 85. Requesting the House of Representatives to proceed at once to report from committee S. 23, and pass the same as quickly as possible, and that the Senate report back S. 278 in order that same may have its second reading on the next Legislative Day and be passed as quickly as possible.

Mr. Hooton moved that said resolution be laid on the table, which motion was lost.

And, on motion of Mr. Powell, said report was concurred in and the resolution put upon its immediate passage and adopted.

NOTICE OF MOTION TO TAKE FROM ADVERSE CALENDAR

Mr. Duncan gave to the Senate the following notice in writing:

"Notice is hereby given that on the 27th Legislative Day, I will move to take from the Adverse Calendar, have the same read a second time and placed on the Regular Calendar, the bill:

H. 313. To grant the right and privilege to any regularly and duly licensed broadcasting station or company operating within the State of Alabama to broadcast by radio all athletic contests or games staged by or sponsored by or participated in, within the State of Alabama, by any educational institution located within the State of Alabama and which derives or receives any financial aid, support or contribution from the State of Alabama or any political subdivision or agency thereof; and to make it unlawful for any executive officer, board of trustees, or any person acting on behalf of any such educational institution to refuse or prohibit such right or privilege to any such broadcasting company or station.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 286. To create the Jefferson M. Falkner Confederate Memorial Preventorium, to provide for a board of trustees therefor and to define the duties and powers of such Board, and fixing the terms of office of the members thereof; to provide for a superintendent of such Preventorium, and to define his rights, duties, and powers; to provide for the fixing of charges for the patients or inmates admitted to said Preventorium, and for the payment of the same and that the State Board of Health and Alabama Committee of Public Health shall advise and co-operate with said Board of Trustees and Superintendent; to permit the use for such purposes of any part of the Jefferson M. Falkner Soldiers

Home at Mountain Creek, Alabama, not needed for the use of the inmates of the said Soldiers Home; and to permit the delivery to said Preventorium for use therein of any live-stock, poultry, farm or dairy products belonging to the State, at the discretion of the Governor for such purposes.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bills:

H. 399. To amend Section 3040 of the 1923 Code of Alabama.

H. 420. To amend Section 3048 of the 1923 Code of Alabama.

H. 45. To amend Section 1 of an Act of the Legislature of Alabama approved September 29th, 1919 entitled "An Act to declare the 11th day of November in each and every year a memorial day for the Alabama World War Veterans who died in the recent war and to make the day a legal holiday in Alabama."

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 40. To amend Section 217 of the Alabama School Code of 1927.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Davis of Macon:

H. 34. To amend Section 18 of an Act entitled an Act in reference to and to further provide for the general revenue of the State of Alabama, approved July 22, 1927.

Also:

By Mr. Robinson:

H. 275. To provide that all business and/or occupational licenses which are payable through the office of the Probate Judge or other county, City or town officials authorized to issue licenses may be paid on a quarterly basis; to provide for the dates of such payment and when same shall become delinquent; to provide that such licenses shall be issued on an annual or semi-annual basis; to

provide in case of a delinquency for the payment of the total amount of the license due; to provide for the manner of issuing the licenses and to repeal all laws or parts of laws in conflict herewith.

Also:

By Mr. Poole:

H. 6. To amend Article 17 of the Agricultural Code of Alabama.

Also:

By Mr. Goodwyn:

H. 595. To fix the salary of the Bond Clerk in the office of the State Treasurer and to provide for the payment of same and to make an appropriation therefor.

Also:

By Mr. Barber (notice and proof):

H. 325. For the relief of Lieutenant Charles A. Jones, Junior, First Lieutenant of the One Hundred and Sixth Observation Squadron of the Alabama National Guard.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given that the following bill will be introduced in the Legislature at its Special Session August 16, 1932, and its passage applied for:

For the relief of Lieutenant Charles A. Jones, Junior, First Lieutenant of the One Hundred and Sixth Observation Squadron of the Alabama National Guard.

Be it enacted by the Legislature of the State of Alabama:

Section One:

Whereas, on or about June 1st, 1931, Lieutenant Charles A. Jones, Junior, while acting under orders of the Commanding Officer of the One Hundred and Sixth Observation Squadron of the Alabama National Guard, was piloting an airplane of the said One Hundred and Sixth Observation Squadron of the Alabama National Guard, when said airplane fell from the air to the ground and as a consequence of such the said Lieutenant Charles A. Jones, Junior, was seriously injured and was rendered totally unfit for work for eleven months after that said time.

Section two:

That for and in compensation of his said injuries and loss of time from his work sustained by the said Lieutenant Charles A. Jones, Junior, he be and he is hereby allowed compensation therefor in the sum of twenty five hundred dollars (\$2500.00) out of the General Fund of the Treasury of the State of Alabama.

Section three:

That the State Auditor be, and is hereby authorized and directed to issue his warrant on the State Treasurer in favor of the said Lieutenant Charles A. Jones, Junior, same being payable immediately upon the approval of this Act.

AFFIDAVIT

State of Alabama, }
County of Jefferson. }

Personally appeared before me, the undersigned authority, Geo. M. Howle, who first being duly sworn by me, deposes and says on oath that he is the

Publisher of The Weekly Call, a weekly newspaper published in said State and County, and that the notice a true copy of which is hereto attached, was published in The Weekly Call, once a week for four consecutive weeks, commencing on the 6th day of August, 1932.

GEO. M. HOWLE,

Publisher of The Weekly Call.

Subscribed and sworn to before me on this 6th day of Sept. 1932.

CLARICE BACHUS,

Notary Public.

J. H. Stewart,

Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate Standing Committee as follows:

House Bills 34, 275, 595, and 325, to the Committee on Finance and Taxation.

H. 6, to the Committee on Agriculture.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by his Excellency, the Governor, to the bill:

S. 125. An Act to encourage the building of bridges, causeways and other development work and relief work upon and abutting on tide lands, the title to or control of which may now or hereafter be vested in the State of Alabama, which shall not have been improved by or under valid public authority and shall not be otherwise devoted to public use, by authorizing the improvement and use thereof and of the abutting submerged lands so improved, and the vesting of title thereto in owners of the abutting riparian land, under and subject to the conditions and approval stated in the Act.

By a vote of a majority of the whole number elected to the House, said vote being: Yeas, 71; nays, 0.

And the House has again passed the said bill, S. 125, by a vote of a majority of the whole number elected to the House, said vote being: Yeas, 71; nays, 0.

And said bill together with the Governor's Message containing the proposed amendment is returned herewith to the Senate.

J. H. Stewart,

Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ogden:

H. 251. To permit the use, hire or letting of convict labor, State and/or county, for use in the construction or maintenance of drains, outlets for drains and/or reopening of any filled or partly filled drains and/or for the construction or maintenance of any levees in connection with drains, established or constructed now or that may be hereafter established or constructed under the provisions of present or future enacted general laws relating to drainage districts incorporated to promote public health and general welfare: And to provide ways and means of effecting such use, hiring or letting and methods of effecting such results.

By Mr. Stokes:

H. 261. To provide for the relief of Mrs. Maude Adams Beckman, widow of C. P. Beckman, deceased, and mother of C. P. Beckman, Jr., deceased, and the three minor children of the said C. P. Beckham.

By Mr. Matthews (notice and proof):

H. 75. To authorize and provide for the payment of the sum of One Hundred Twenty Three Dollars (\$123.00) for the relief of Mrs. Ann Eliza Strother of Wilcox County, Alabama, who was entitled to an increase in pension for the January 1924 quarter, had she filed her reclassification pension application when she reached the age of seventy years.

NOTICE

Notice is hereby given that a bill for the relief of Mrs. Ann Eliza Strother of Camden, Wilcox County, Alabama, is to be presented to the Legislature of the State of Alabama, at its next session, notice of which is hereby published in the Wilcox Progressive Era, a newspaper published in Camden, Wilcox County, Alabama, for four consecutive weeks beginning September 3rd, 1931 and continuing through September 24th, 1931, in words and figures as follows:

AN ACT

To authorize and provide for the payment of the sum of One Hundred Twenty Three Dollars (\$123.00) for the relief of Mrs. Ann Eliza Strother of Wilcox County, Alabama, who was entitled to an increase in pension for the January 1924 quarter, had she filed her reclassification pension application when she reached the age of seventy years. Whereas Mrs. Ann Eliza Strother, the widow of a confederate veteran, would be entitled to the difference in second and third class pension for the quarters beginning 1924 and ending January 1927, at \$4.00 per quarter and a difference of \$7.50 for the April and July quarters each and a difference of \$15.00 for the October 1927, January 1928, April 1928 and July 1928 quarters each, amounting to a total of One Hundred Twenty three Dollars (\$123.00); and whereas the said Mrs. Ann Eliza Strother failed to receive the difference of One Hundred Twenty Three Dollars (\$123.00) only because of her failure to file her reclassification pension application when she reached the age of seventy years.

Be it enacted by the Legislature of Alabama:

Section 1. That the State Auditor be and he is hereby authorized and directed to issue his warrant on the State Treasurer in favor of the said Mrs. Ann Eliza Strother for the sum of One Hundred Twenty Three Dollars

(\$123.00), which shall be paid by the said Treasurer out of any funds in the State Treasury not otherwise appropriated.

PROOF OF PUBLICATION.

The State of Alabama, }
Wilcox County. }

Personally came before me, a notary public in said County and State, J. C. Andrews, who being by me first duly sworn, states on oath that he is publisher of Wilcox Progressive Era, a newspaper published in Camden, in said County and State, and that the publication of the notice, a copy of which is hereto attached, has been in said paper 4 times as follows: No. 35, on the 3rd day of Sept., 1931, No. 38, on the 24th day of Sept. 1931.

J. C. ANDREWS.

Sworn to and subscribed before me, this the 6th day of Aug., 1932.

CARL M. WATTS, Notary Public.

By Mr. St. John:

H. 414. A bill to be entitled An Act to submit to the qualified electors of the State of Alabama at the general election to be held on the first Tuesday after the first Monday in November 1934, for their consideration, an amendment to Section 49 of Article IV of the Constitution of 1901, providing for the pay of members of the Legislature and fixing their per diem at eight dollars per day and their expenses at ten cents per mile in going to and returning from the seat of government, and to prohibit any additional expense, compensation or allowance.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to Section 49, Article IV of the Constitution of 1901 is hereby proposed to be submitted to the qualified electors of the State of Alabama for their consideration and adoption as hereafter set forth.

Section 2. That Section 49 of Article IV of the Constitution of 1901 be amended so as to read as follows:

Section 49. The pay of the members of the Legislature shall be eight dollars per day, and ten cents per mile in going to and returning from the seat of government, to be computed by the nearest usual route traveled, and no additional expense, compensation or allowance shall be provided by law.

Section 3. That it be the duty of the Governor to give notice, by proclamation to be published in one newspaper in each county of the State for eight consecutive weeks next preceding the general election of 1934, of the amendment proposed by this Act to be submitted to the people for their consideration and adoption.

Section 4. That an election shall be held on the first Tuesday after the first Monday in November, 1934, under the Constitution of Alabama and with the same conditions and penalties as general elections for the vote of qualified electors in the several precincts in the several counties of the State on the proposed amendment, and on the official ballot shall be printed for such election, the following:

"Shall Section 49 of Article IV of the Constitution of Alabama be amended so as to read as follows:

"Sec. 49. The pay of the members of the Legislature shall be eight dollars per day, and ten cents per mile in going to and returning from the seat of government, to be computed by the nearest usual route traveled, and no additional expense, compensation or allowance shall be provided by law.

-----Yes.

-----No."

The choice of the elector shall be indicated by a cross mark made by him or her, or under his or her direction, opposite the word expressing his or her desire or choice.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were several-ly read once and referred to appropriate standing committees as follows:

H. 251, to the Committee on Public Health.

H. 414, to the Committee on Constitution and Constitution Revision and Amendments.

House Bills 261 and 75, to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate Bill and returns same herewith to the Senate:

S. 227. To permit certain amusements, recreations and entertainments to be furnished and engaged in on Sunday in cities of this State whose population is not less than 30,000 nor more than 40,000 according to the last or any subsequent Federal Census or in cities which have since the 1930 Federal Census been merged or consolidated and the combined population of such cities after such merger is not less than 30,000 nor more than 40,000 and known as "Class D" cities.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 79. To provide for the special relief of J. A. Kizer by making and appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Warren, the Senate concurred in and adopted the following amendment by the House to the S. 79 the title of which is set out in the foregoing Message from the House, to-wit:

Amend S. 79 by striking out of Section one the words "twenty-five Hundred" where they appear in said Section and inserting in lieu thereof the words "two thousand."

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Caffey
Cooper
Cowart
Darden

Delony
Farmer
Fletcher
Garrett
Jordan
Kelley

Lapsley
McDaniel
McDowell
Millsap
Mullins

Powell
Scruggs
Shepherd
Walker
Warren

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MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 83. Relative to the adjournment of the two Houses until Thursday, October 27, at ten o'clock, A. M.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

RECESS

At 12:45 P. M., on motion of Mr. McDowell, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION—TWENTY-SIXTH DAY

October 25th, 1932.

The Senate re-assembled at 3 o'clock P. M., Lieutenant-Governor Merrill presiding.

ROLL CALL

Present:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth	Mullins	

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:
By Mr. Jordan:

S. 281. To provide that where two or more municipalities have consolidated or merged within one year prior to the passage of this Act, or may hereafter consolidate or merge, that in all cases where State and county licenses are levied upon a population classification, for a period of two years after the passage of this Act, the licenses levied shall be computed and based upon the population of the municipality according to the last Federal Census in which the place where such business or occupation is carried on was located prior to such consolidation or merger.

Committee on Finance and Taxation.

By Mr. Edmundson:

S. 282. To provide that in all judicial circuits of the State of Alabama having a population of more than 300,000 according to the last or any subsequent Federal Census, that each of the counties in said circuits supplement the salaries paid by the State of Alabama to each of said Circuit Judges and fixing the amount of such supplementary compensation and repealing all laws in conflict herewith, and all laws heretofore enacted supplementing such salaries.

Committee on Banking and Insurance.

By Mr. Edmundson:

S. 283. To fix the compensation or salaries of Judges of Probate of the State of Alabama in counties having more than three hundred thousand population according to the last or any subsequent Federal Census and to provide for the method, basis and pay-

ment of such compensation and to fix the date that this act goes into effect.

Committee on Banking and Insurance.

By Mr. Edmundson:

S. 284. To fix compensation or salaries of the Circuit Clerks of the State of Alabama in all counties having more than three hundred thousand population according to the last or any subsequent Federal Census, and to provide for the method, basis and payment of such compensation and to fix the date that this act goes into effect.

Committee on Banking and Insurance.

By Mr. Edmundson:

S. 285. To fix the compensation or salaries of Sheriffs of the State of Alabama in counties having more than three hundred thousand population according to the last or any subsequent Federal Census and to provide for the method, basis and payment of such compensation and to fix the date that this act goes into effect.

Committee on Banking and Insurance.

By Mr. Brown:

S. 286. To establish a county court in any county of this state, the boundary lines of which have been altered, or rearranged, and in which no county court is now established, and to prescribe the manner in which prosecutions for misdemeanors shall be begun, tried and determined therein and appeals taken therefrom, and to fix the salary or compensation of the Judge and Clerk thereof, and to repeal all laws, whether local, general or special, in conflict herewith.

Committee on Local Legislation.

By Mr. Mullins (by request):

S. 287. For the relief of Emma Mitchell Colmant.

Committee on Finance and Taxation.

REPORT OF COMMITTEE

Mr. Darden, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Craft (with substitute) (with notice and proof):

S. 266. To create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission; to authorize said Commission to make reductions in all assessments against property included in the following paving ventures, to-wit:

Series "W"—21st Paving

Series "X"—22nd Paving

Series "Y"—23rd Paving
 Series "Z"—24th Paving
 Series "A-B"—25th Paving
 Series "C-D"—26th-A Paving
 Series "I-J"—26th Paving
 Series "M-N"—27th Paving

To provide for the payment of reduced assessments and any refunds due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix a penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal for the finding of such Commission.

RESOLUTION

The Rules Committee reported the following resolution:

S. J. R. 86. Resolved by the Senate that the following bills be and the same are hereby made special and continuing orders until finally disposed of:

S. 235, on page 24

S. 236, on page 24

S. 237, on page 25

S. 238, on page 25

And on motion of Mr. Powell, said report was concurred in, the resolution adopted and said bills Senate Bills 235, 236, 237, and 238 made special and continuing orders until finally disposed of.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

H. 329. To permit certain amusements, recreations and entertainments to be furnished and engaged in on Sunday in cities of sixty thousand or more population according to the last or any succeeding Federal census, and to provide a method whereby such amusements and recreations on Sunday may be prohibited in such cities, and to repeal all laws and parts of laws in conflict with the provisions of this Act.

Said Governor's Message, containing his objections and proposed amendment to said bill, being in words and figures as follows, to-wit:

To the Legislaturc of Alabama,
 Montgomery, Alabama.
 Gentlemen:

I am herewith returning to the House of Representatives, the body in which it originated House Bill No. 329 without my approval and I am sug-

gesting an amendment, which if adopted will cause the Act to meet my approval.

I suggest that at the end of Section 1 of the bill the following be added:

"The provisions of this Act with reference to the operation of moving picture shows and/or vaudeville on Sunday shall not become applicable to any city having a population of one hundred thousand (100,000) or more according to the last Federal Census, or according to any Federal Census hereafter held, until the same shall have been submitted to a vote of the qualified electors of said city at an election held for that purpose, which election shall be held and governed by the rules and regulations which apply to elections held in referendum elections on municipal ordinances of such cities; and the first election hereunder shall be held on the second Tuesday in November, 1932, seven days' notice of such election shall be given by the governing authority of any such city. All subsequent elections after the first election, hereinabove directed to be held on the second Tuesday of November, 1932, shall be held on the second Tuesday of November in any year in which a State general election is held.

The ballot used at all such elections shall be prepared and furnished by the governing authority of any such city wherein the election is to be held, and the election shall be conducted and carried on by the managers and clerks in such city holding the general State election on said date. At such election each voter shall express his approval or disapproval by making his cross mark on said ballot before the words 'in favor of the operation of moving picture shows and/or vaudeville on Sunday' or by making a cross mark on said ballot before the words 'against the operation of moving picture shows and/or vaudeville on Sunday'. These ballots shall be deposited in a separate ballot box to be furnished by the governing authority of any such city and, at the close of the election, shall be counted by the managers and the results ascertained and delivered to the governing authority of any such city.

If a majority of all the voters voting at such election is in favor of the operation of moving picture shows and/or vaudeville on Sunday, then the provisions of this Act with reference to the said operation of moving picture shows and/or vaudeville on Sunday shall become effective and the governing authority shall issue its proclamation to such effect. If a majority of the votes at such election are cast against the operation of moving picture shows and/or vaudeville on Sunday, then the provisions of the Act with reference to the operation of moving picture shows and/or vaudeville on Sunday shall not be effective in such city and the governing authority shall make its proclamation to that effect."

My reason for recommending this amendment and for not being willing to approve the Act without the amendment is that I believe in local government on subjects of the kind included in this bill.

I believe that in Montgomery and Mobile, two of the three cities effected by the bill that a majority of the people want the law as passed by you. I am advised that the members of the Legislature from these counties were unanimous in favoring the bill. The city of Birmingham, the other city effected by the Act, has recently voted in favor of having base ball on Sunday afternoon. The City of Birmingham a few years ago, voted against having moving picture shows and/or vaudeville on Sunday. I am advised that the delegation from Jefferson County was divided on this bill.

I would not be willing to approve a law which makes moving picture shows and vaudeville legal in the city of Birmingham on Sunday without the matter being submitted to the people for their decision. I am informed that the delegation in the House from Jefferson was unanimous in favoring the bill with substantially this amendment.

Respectfully,

B. M. Miller,
Governor.

October 21, 1932.

And the House has non-concurred in the amendment proposed by His Excellency, the Governor, to the bill, H. 329, by a vote of a majority of the whole number elected to the House, said vote being Yeas, 22; nays, 64.

And the House has reconsidered and again passed said bill, H. 329, by a vote of a majority of the whole number elected to the House, said vote being: Yeas, 70; nays, 16.

And said bill together with the Governor's Message containing his objections and proposed amendment to said bill are sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Teasley, the Senate refused to concur in the amendment proposed by his Excellency, the Governor, to H. 329, the title of which and said Governor's amendment, is set out in the foregoing Message from the House.

Yeas, 5; nays, 29.

Yeas:

Messrs.:

Bonner
Caffey

Cooper

Darden

Walker

— 5

Nays:

Messrs.:

Bartlett
Beasley
Brown
Coward
Craft
Delony
Duncan
Edmundson

Farmer
Faulk
Fletcher
Garrett
Goodwin
Hildreth
Hooton

Hubbard
Jordan
Kelley
Lapsley
McDaniel
McDowell
Millsap

Mullins
Powell
Scruggs
Shepherd
Teasley
Warren
Wikle

—29

Which was a majority of the whole number elected to the Senate.

And said bill, H. 329, was again read a third time at length and passed.

Yeas, 26; nays, 7.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Coward
Craft
Delony
Duncan

Edmundson
Farmer
Fletcher
Garrett
Goodwin
Hildreth
Hooton

Jordan
Kelley
McDaniel
McDowell
Millsap
Mullins

Powell
Scruggs
Shepherd
Teasley
Warren
Wikle

—26

Nays:
Messrs.:
Bonner
Caffey

Cooper
Darden

Lapsley
Riddle

Walker

— 7

BILLS ON THIRD READING

The bill:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to said bill to-wit:

AMENDMENT TO. S. 235.

Amend subsection 9 of Section 6, by striking out the figures "\$1,000.00", and inserting in lieu thereof the figures "\$5,000.00".

Further amend by striking out Section 10 and inserting in lieu thereof the following: "SECTION 10. MILITARY DEPARTMENT: SALARIES, ORGANIZATION ALLOWANCES AND OTHER DEPARTMENTAL EXPENSES. (1) For the compensation of the Adjutant General thirty-six hundred dollars (\$3600.00) for every year. (2) For the compensation of the United States Property and Disbursing Officer thirty-three hundred dollars (\$3300.00) for every year; provided that the annual or monthly salary paid the United States Property and Disbursing Officer by the United States Government shall be deducted from this thirty-three hundred dollars (\$3300.00) on fixing the annual or monthly State pay of this employee. (3) For the compensation of the State Property and Disbursing Officer twenty-four hundred dollars (\$2400.00) for every year. (4) For the compensation of an assistant Disbursing Officer twenty-three hundred and eighty dollars (\$2380.00) for every year. (5) For the compensation of an assistant Property Officer twenty-three hundred and eighty dollars (\$2380.00) for every year. (6) For the compensation of one employee performing the duties of Disbursing and Property Clerk fifteen hundred dollars (\$1500.00) for every year. (7) For the compensation of one employee performing the duties of Personnel Clerk six hundred dollars (\$600.00) for every year. (8) For the compensation of three Clerks and Stenographers, for duty in the Military Department of the State, twelve hundred dollars (\$1200.00) each for every year. (9) For organization allowances and other departmental expenses Forty-five thousand, two hundred forty dollars (\$45,240.00) for every year.

SPECIAL APPROPRIATION FOR THE MILITIA IN THE ACTIVE EMERGENCY MILITARY SERVICE OF THE STATE. In addition to the military appropriation for salaries, or-

ganization allowances and other departmental expenses provided for in this Section, there is appropriated out of monies not otherwise appropriated such sum as may be necessary for pay, subsistence, shelter travel, medical service and other necessary expenses of the Military and Naval Forces of the State when called into the active service of the State for the purpose of enforcing the law, preservation of the peace, for the security of lives and the protection of property of citizens and aid and relief of our citizens in case of disaster. The disbursement of all funds appropriated for and disbursed by the Military Department shall be with the approval of the Governor and under such rules and regulations as he or/and existing laws may prescribe."

"ARMORY BUILDING COMMISSION. Section 10-A. For the purposes of carrying out the provisions of an Act entitled "The Armory Commission and Building Act approved July 31st, 1931, an appropriation of one dollar (\$1.00 per year for the Fiscal Years 1933, 1934 and 1935.

Further amend by striking out the figures "\$700,000.00" in Section 8, and inserting in lieu thereof the following: "\$1,500,000.00", and by striking out the figures "\$1,000,000.00", and insert in lieu thereof the figures "\$2,000,000.00."

Further amend by striking out the figures "\$100,500.00" in subsection 3 of Section 22, and insert in lieu thereof the figures "\$200,500.00".

Further amend by striking out the figures "\$3,000.00" in subsection 1 of Section 25, and insert in lieu thereof the figures, "\$4,000.00".

Further amend by striking out the figures "\$4500.00 in subsection 2 of Section 25, and insert in lieu thereof the figures "\$10,000.00".

Further amend by adding at the end of Section 25, the following words: "Provided that the appropriations made in this Section are in addition to the State Geologist by the Act entitled "An Act to authorize an investigation of the water resources of the State of Alabama, to authorize the State Geologist to enter into contracts with the United States Government or department thereof, or person, firm, or corporaion for cooperation action in collecting and publishing such information and to make an appropriation therefor", approved August 1, 1931, and said Act is not repealed by this Act."

Amend Section 32 of S. 235 by striking out sub-sections No. 1 and 2 of said Section and substitute therefor the following words and figures.

"(1) For the support, maintenance and repairs of the Alabama Insane Hospital, an amount not to exceed \$4.00 per week nor be less than \$3.00 per week for each patient."

"(2) For the support, maintenance and repairs of the Partlow State School for mental deficient, a sum not to exceed \$4.00 per week nor be less than \$3.00 per week for each inmate; and the appropriations herein made to said Alabama Insane Hospital and Partlow State School for mental deficient shall be payable and are to be disbursed as provided in Sections 1423 to 1485, inclusive, as amended, of the Code of Alabama of 1923 and the Act entitled "An Act" to provide for the maintenance of the Alabama Home for mental inferiors approved February 3, 1923, and shall continue, and the unexpended balances thereof shall not revert to or be recovered into the General Treasury of the State of Alabama at the end of any fiscal year."

Amend Section 41 of said bill by inserting between the words "made are" where the same appear together in said bill, the words "except appropriations to eleemosynary institutions, or to the school for Deaf and Blind in Talladega, Alabama."

Further amend by striking out subsection 3 of Section 32, and insert in lieu thereof the following: "(3) For the support, maintenance and repairs of the Alabama Boys Industrial School, a sum not to exceed \$4.68 and not less than \$3.75 a week for every one of all the inmates of said school".

Further amend by striking out subsection 4 of Section 32, and insert in lieu thereof the following: "(4) For the support, maintenance and repairs of the State Training School for Girls, a sum not to exceed \$4.68 and not less than \$3.75 a week for every one of all inmates of said school."

Further amend by striking out the figures "\$1.87" in subsection 5 of Section 32, and insert in lieu thereof the figures "\$2.00".

Further amend by striking out subsection 6 of Section 32 and by adding immediately after Section 32 and immediately before Section 33 the following words and figures:

"Section 32½. THE ALABAMA SCHOOL FOR THE DEAF AND BLIND. There is hereby appropriated out of the general fund of the State of Alabama for the maintenance, support, insurance and upkeep of the Alabama Institute for the Deaf and Blind, an educational institution which is a division of the Public Schools of Alabama, the sum of two hundred ninety six dollars (\$296.00) per pupil, such appropriation to be based on the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the Treasurer of the Board of the Alabama Institute for Deaf and Blind and to be disbursed as directed by said Board. Any balance from this appropriation at the end of each year shall remain in the hands of the Treasurer of said institution and shall not revert to the State".

Further amend Section 33 by striking out the words "for every year" and insert in lieu thereof the words and figures "For the year 1932-33".

Further amend Section 33½ by adding at the end thereof the following, "And also the sum of \$11,637.94 upon warrants held by the Child Welfare Department".

Further amend by adding at the end of Subsection 11 of Section 37 the following words "For every year".

Further amend by adding at the end of Section 37 the following words "(14) World War Orphans Scholarship Fund \$1800.00".

Further amend by striking from Section 38 the following words: "Provided, however, that no part or parts of said appropriations shall be paid out of the State Treasury until or unless such payments in whole or in part shall be authorized and approved by the Governor."

Which was adopted.

Yeas, 23; nays, 2.

Yeas:

Messrs.:

Beasley	Farmer	Lapsley	Scruggs
Cooper	Fletcher	McDaniel	Shepherd
Cowart	Garrett	McDowell	Walker
Darden	Goodwin	Millsap	Warren
Delony	Hildreth	Powell	Wikle
Edmundson	Jordan	Riddle	

—23

Nays: Messrs. Faulk and Kelley

— 2

Mr. Beasley offered the following amendment to said bill as amended:

Amend S. 235 by striking out Sec. 7 and inserting in lieu thereof the following:

Section 7. ARCHIVES AND HISTORY. (1) For compensation of the Director of the Department of Archives and History, \$4,000.00 for every year; (2) Compensation of the Curator, \$2,400.00 for every year; (3) Compensation of the Chief Clerk, \$1,920.00 for every year; (4) Compensation of the Librarian, \$1,600.00 for every year; (5) Compensation of the Stenographer and Statistician (one person) \$1,275.00 for every year; (6) Compensation of Bookkeeper and Copyist, (one person) \$1,200.00 for every year; (7) Compensation of File Clerk, \$1,200 for every year; provided, however, that none of the appropriation mentioned in this section shall be available to pay any assistant, except when such assistant's employment be with the consent and approval of the Governor, and that none of this appropriation shall be available for any assistant until the Governor has approved the appointment of such assistant to fill the position hereinabove provided for; (8) For Filing Equipment \$1.00 for every year; (9) For Traveling Expenses \$500.00 for every year; (10) For Stationery and Office Supplies, \$750.00 for every year; (11) For books and Periodicals \$1,100.00 for every year; (12) For binding books and papers \$1.00 for every year; (13)

for Printing Blanks and Bulletins, \$1.00 for every year; (14) For Manual Labor \$1.00 for every year; (15) For Postage, \$400.00 for every year; (16) For Miscellaneous requirements of the Department \$250.00 for every year.

On motion of Mr. McDaniel, said amendment was laid on the table.

Mr. Hooton offered the following amendment to said bill, which was, on motion of Mr. McDaniel laid upon the table.

To amend section thirty (30) of senate bill number 235, entitled: "A bill to be entitled an act to make appropriations for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, for the interest on the public debt, and for the public schools." That section thirty of the just described bill be stricken and in lieu of section thirty the following be inserted: Section 30. That the gross premium receipts tax now authorized by law to be collected from fire insurance companies shall be collected by the Bureau of Insurance and certified into the State Treasury by the Bureau of Insurance. Such special gross premium receipts tax shall be held intact and liquid in such State Treasury for a period of twelve months next after the date upon which such gross premium receipts tax becomes delinquent, and the residue or balance of such gross premium receipts tax shall revert into the general fund, after all salaries and expenses for the operation of the Fire Marshall's Department shall have been paid. Provided, however, that in no event shall the Fire Marshall's Department draw any monies from the general fund except as authorized herein.

Mr. McDaniel offered the following amendment to said bill as amended, to-wit:

Amend Section 30 of S. 235 to read as follows: Section 30, State Fire Marshal. (1) For Salary of State Fire Marshal, \$2,880.00 for every year. (2) For other salaries and expenses, \$22,500.00 for every year. And be it further provided that any amount above that sum remaining after these expenses of the Fire Marshal Department have been paid shall be certified into the general fund of the State on or before the thirty-first day of March of the year succeeding the current fiscal year.

Mr. Hooton moved to lay the said amendment upon the table, which motion was lost.

And the amendment was then adopted.

Yeas, 21; nays, 12.

Yeas:

Messrs.:

Beasley
Bonner
Brown
Caffey

Cooper
Delony
Farmer
Faulk

Fletcher
Garrett
Hildreth
Jordan

Lapsley
McDaniel
Millsap
Powell

Riddle Shepherd	Teasley	Walker	Wikle	—21
<i>Nays:</i>				
<i>Messrs.:</i>				
Bartlett	Darden	Hooton	McDowell	
Cowart	Duncan	Hubbard	Mullins	
Craft	Goodwin	Kelley	Scruggs	—12

Mr. Mullins offered the following amendment to said bill as amended:

Amend Section 26 of S. 235 so as to read as follows:

Section 26—Alabama Industrial Development Board (1) For salaries and other expenses, \$17,500.00 for every year.

Mr. McDaniel moved to lay said amendment upon the table, which motion prevailed and the amendment was tabled.

Yeas, 23; nays, 10.

<i>Yeas:</i>				
<i>Messrs.:</i>				
Bartlett	Cowart	Garrett	McDowell	
Beasley	Delony	Goodwin	Millsap	
Bonner	Duncan	Hubbard	Scruggs	
Brown	Farmer	Kelley	Walker	
Caffey	Faulk	Lapsley	Warren	—23
Cooper	Fletcher	McDaniel		
<i>Nays:</i>				
<i>Messrs.:</i>				
Craft	Hooton	Powell	Teasley	
Darden	Jordan	Shepherd	Wikle	—10
Edmundson	Mullins			

Mr. Shepherd offered the following amendment to said bill as amended:

Amend Section 23 of S. 235 so as to make the same read as follows:

Section 23. (1) For salary of Service Commission \$2880.00 for every year. (2) For Salary of Assistant Service Commission \$2400.00 for every year. (3) For Salary of each of two State Service Field Commissions \$1800.00 for every year. (4) For Salary of Secretary to State Service Commission \$1200.00 for every year. (5) For Salary of a Filing Clerk for State Service Commission \$960.00 for every year. (6) For all expenses other than Salaries \$4340.00.

Which was adopted.

Yeas, 32; nays, 0.

<i>Yeas:</i>			
<i>Messrs.:</i>			
Bartlett	Caffey	Darden	Farmer
Beasley	Cooper	Delony	Faulk
Bonner	Cowart	Duncan	Fletcher
Brown	Craft	Edmundson	Garrett

Goodwin	Lapsley	Mullins	Shepherd
Hildreth	McDaniel	Powell	Walker
Hubbard	McDowell	Riddle	Warren
Jordan	Millsap	Scruggs	Wikle

—32

Mr. Shepherd also offered the following amendment to said bill as amended, to-wit:

Amend Section 11 of S. 235 to read as follows:

"Section 11. Mine Inspectors: (1) For compensation of the Chief Inspector of Mines \$3,000.00 for every year. (2) For the compensation of the Assistant or District Mine Inspectors \$2400.00, each, for every year. (3) For the compensation of the Chief Clerk in the Mine Inspectors office \$1920.00 for every year. (4) For compensation of the stenographer in the Mine Inspectors office, \$1200.00 for every year. (5) For rental of offices not to exceed \$1200.00 for each year, stamps, stationery, office supplies, equipment and other operating expenses not to exceed \$1500.00 each year. (6) Actual traveling expenses of the Chief and Associate Mine Inspectors in the discharge of their duties under the law not to exceed \$4.00 per day, per inspector, while actually engaged in inspecting mines and discharging said duties and not to exceed an aggregate of \$5,000.00 each year.

Provided the total appropriation and payments made pursuant to this Section shall not exceed \$30,000.00 per year."

Which was adopted.

Yeas, 26; nays, 5.

Yeas:

Messrs.:

Beasley	Duncan	Kelley	Scruggs
Bonner	Edmundson	Lapsley	Shepherd
Brown	Farmer	McDaniel	Teasley
Caffey	Faulk	McDowell	Walker
Cowart	Goodwin	Powell	Warren
Darden	Hubbard	Riddle	Wikle
Delony	Jordan		

—26

Nays:

Messrs.:

Cooper	Hooton	Millsap	Mullins
Hildreth			

— 5

Mr. McDaniel offered the following amendment to said bill as amended:

Amend Section 17, S. 235 to read as follows:

INSURANCE DEPARTMENT: (1) For compensation of Superintendent of Insurance, \$4,000.00 for every year. (2) For other salaries and expenses of the Department, \$24,000.00.

Substitute the following for Section 24:

"Section 24. ALABAMA PUBLIC SERVICE COMMISSION. (1) For salary of the President of the Commission \$6,000.-

00 for every year. (2) For salaries of the Associate Commissioners \$5,500.00 each for every year. (3) For other salaries and expenses \$40,000.00 for every year. (4) In addition to the above, there is hereby set apart for the expenses of regulation to be performed by the Commission all inspection and supervision fees paid by public utilities and transportation companies and such parts of percentages of the fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission to pay the expenses of regulation of such motor carriers or motor transportation companies."

And add the following Section as Section 24½:

"Section 24½. STATE SECURITIES COMMISSION. For salaries (not including salaries of Commissioners) and expenses of State Securities Commission, all fees or monies paid and payable by every person as defined in the Alabama Securities Act for any and all purposes as required by said Act, which said fees are hereby set apart and shall be available and applied to payment of such salaries and expenses."

Which was adopted.

Yeas, 23; nays, 4.

Yeas:

Messrs.:

Beasley	Farmer	Lapsley	Shepherd
Bonner	Fletcher	McDaniel	Teasley
Brown	Garrett	McDowell	Walker
Caffey	Goodwin	Millsap	Warren
Cooper	Hubbard	Powell	Wikle
Duncan	Kelley	Scruggs	

—23

Nays: Messrs. Darden, Deloney, Faulk and Hooton

— 4

Mr. McDaniel also offered the following amendment to said bill as amended:

Amend S. 235 as amended by striking out the following words in the Com. Amendment.

"Further amend by striking out the figures '\$700,000.00' in Section 8, and inserting in lieu thereof the following: '\$1,500,000.00', and by striking out the figures '\$1,000,000.00' and insert in lieu thereof the figures '\$2,000,000.00'."

and insert in lieu thereof the following:

"Further amend by striking out the figures '\$700,000.00' in subsection 8 of Section 21, and inserting in lieu thereof the following: '\$1,500,000.00', and by striking out the figures '\$1,000,000.00', and insert in lieu thereof the figures '\$2,000,000.'"

Which was adopted.

Yeas, 23; nays, 1.

Yeas:

Messrs.:			
Beasley	Delony	Hubbard	Powell
Bonner	Farmer	Kelley	Scruggs
Brown	Fletcher	Lapsley	Shepherd
Caffey	Garrett	McDaniel	Warren
Cooper	Hildreth	McDowell	Wikle
Darden	Hooton	Millsap	

—23

Nay: Mr. Faulk

— 1

Mr. Scruggs offered the following amendment to said bill as amended:

Amend S. 235 by striking therefrom Section 12 thereof.

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs.:			
Beasley	Delony	Hildreth	McDowell
Brown	Duncan	Hubbard	Millsap
Caffey	Farmer	Jordan	Powell
Cooper	Faulk	Kelley	Scruggs
Craft	Garrett	Lapsley	Shepherd
Darden	Goodwin	McDaniel	Teasley

—24

Mr. Riddle offered the following amendment to said bill as amended:

Amend S. 235 by striking therefrom Section 33½.

On motion of Mr. Teasley, said amendment was laid upon the table.

Yeas, 18; nays, 12.

Yeas:

Messrs.:			
Bartlett	Farmer	McDaniel	Scruggs
Beasley	Fletcher	McDowell	Shepherd
Bonner	Hubbard	Millsap	Teasley
Caffey	Jordan	Powell	Walker
Cooper	Lapsley		

—18

Nays:

Messrs.:			
Brown	Darden	Garrett	Kelley
Cowart	Delony	Goodwin	Riddle
Craft	Duncan	Hooton	Warren

—12

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 26; nays, 4.

Yeas:

Messrs.:			
Beasley	Brown	Cooper	Darden
Bonner	Caffey	Cowart	Delony

Farmer	Hubbard	Millsap	Shepherd
Fletcher	Jordan	Powell	Teasley
Garrett	Lapsley	Riddle	Walker
Goodwin	McDaniel	Scruggs	Warren
Hildreth	McDowell		

—26

Nays: Messrs. Bartlett, Craft, Kelley and Mullins

— 4

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 227. To permit certain amusements, recreations and entertainments to be furnished and engaged in on Sunday in cities of this state whose population is not less than 30,000 nor more than 40,000 according to the last or any subsequent Federal Census or in cities which have since the 1930 Federal Census been merged or consolidated and the combined population of such cities after such merger is not less than 30,000 nor more than 40,000 and known as "Class D" cities.

S. 79. To provide for the special relief of J. A. Kizer by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

S. 125. To encourage the building of bridges, causeways and other development work and relief work upon and abutting on tide lands, the titles to or control of which may now or hereafter be vested in the State of Alabama, which shall not have been improved by or under valid public authority and shall not be otherwise devoted to public use, by authorizing the improvement and use thereof and of the abutting submerged lands so improved, and the vesting of title thereto in owners of the abutting riparian land, under and subject to the conditions and approval stated in the act.

S. 40. To amend Section 217 of the Alabama School Code of 1927.

S. 65. Making the purchase, or receiving for sale, or in pledge, or on storage, or for safe keeping from unauthorized persons of railroad equipment or of articles of iron, brass, or other metal manufactured exclusively for railroad purposes a misdemeanor, and prescribing the penalty therefor, and providing what shall constitute prima facie evidence of this Act.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-

thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Hamby:

H. 610. To amend Section 130 of the School Code of Alabama.

Also:

By Mr. Smith of Lee:

H. 666. To provide for a change of venue in actions pending in any court at the time of a transfer of a portion of the territory of one county to another county, by change of boundary line or otherwise, and to provide for payment of costs in such actions.

Also:

By Mr. Miller:

H. 271. To amend Section 3671 of the Code of Alabama of 1923.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House message were severally read once and referred to appropriate Standing Committees as follows:

H. 610, to the Committee on Education.

House Bills 666 and 271, to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Snodgrass:

H. J. R. 152. WHEREAS, the price of corn, cotton, wheat and other farm products has been, during the past several years, and is now, materially below the actual cost of production of said products, and,

WHEREAS, thousands of farmers in the United States obtained loans, secured by mortgages upon their homes and farms, from the Federal Land Banks at a time when the prices of farm products were materially higher than at the present time, and,

WHEREAS, many thousands of these farmers are now faced with foreclosure of the mortgages securing their loans and the con-

sequent loss of their homes and farms because of conditions over which they have had no control,

NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of Alabama, the Senate concurring, that we hereby memorialize and petition the Congress of the United States of America to enact such legislation at the next session of Congress as will give immediate relief to those farmers who are about to, or have already, lost their homes and farms, and to so deal with the question of farm mortgages that further foreclosures may be prevented; that lower interest rates may be provided and that, if need be, a moratorium of from three to five years be provided for on said loans in all cases in which it is reasonably made to appear that the borrower is unable to pay the instalments on said loan.

That the Governor of Alabama immediately upon the passage of this resolution transmit a duly authenticated copy of the same to the Speaker of the House of Representatives, the President of the United States Senate, and to each Congressman and United States Senator from Alabama.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 152, set out in the foregoing message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

The bill:

S. 236. To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, The Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," Approved August 25th, 1927.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for said bill to-wit:

Bill offered as substitute for Senate bill No. 236:

A BILL

To be entitled An Act "To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and develop-

ment of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades & Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," approved August 25th, 1927.

Be it enacted by the Legislature of Alabama:

That an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades & Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," approved August 25th, 1927, be and the same is hereby amended so as to read as follows:

Section 1. That there is hereby appropriated out of the Treasury to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter the sum of \$900,000.00 to be known as the Equalization Fund, which under the provisions of this Act shall be used exclusively for the equalization of educational opportunity in the public schools of the State.

Section 2. That in order to provide means for a better attendance and physical and health program there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter the sum of \$850,000.00 to be known as the Attendance Fund, and to be expended in accordance with the provisions hereinafter set out in this Act.

Section 3. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter the sum of \$1.00 for rural school libraries and which shall be expended in accordance with existing law and the provisions of this Act.

Section 4. That for the support and maintenance of the institutions named in this Section there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter: (1) for each of the normal schools located at Florence, Jacksonville, Livingston and Troy, the sum of \$52,500.00; (2) for each of the secondary agricultural schools the sum of \$6,659.00; (3) for the State Normal School located at Daphne \$12,000.00; (4) for the State Normal School for Negroes located at Montgomery \$52,-

500.00; (5) for the Tuskegee Normal and Industrial Institute \$5,000.00; (6) for the development and maintenance of better and more equitable teacher-training conditions there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$140,000.00 to be known as the Teacher Training Equalization Fund, which shall be expended in accordance with the provisions hereinafter set out in this Act; (7) for the Agricultural and Mechanical Institute for Negroes, located at Normal, the sum of \$17,500.00. Provided that in addition to the appropriation above made to the State Normal School at Daphne, when and in the event the funds appropriated to said School for additional grounds and equipment shall be released, there is appropriated out of the aforesaid Teacher Training Equalization Fund the sum of \$6,000.00 for the first year after the completion of the enlargement of the said School and the sum of \$12,000.00 for the next year, and the sum of \$18,000.00 for each year thereafter.

Section 5. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, the sum of \$224,000.00, and for each and every year thereafter the sum of \$224,000.00, to be used in supplementing the funds already appropriated by the Federal and State Acts for Vocational Education and to be expended in accordance with existing law and the provisions of this Act.

Section 6. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$339,750.00, to be apportioned to the several counties of the State for the further support and maintenance of more nearly adequate high school facilities, and to be expended in accordance with the provisions hereinafter set out in this Act.

Section 7. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the support and maintenance of the Alabama School of Trades and Industries, for the year beginning October 1, 1932, the sum of \$35,000.00, and annually thereafter for said institution.

Section 8. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the further sum of \$70,000.00 to be expended by the State Board of Education in payment of certain salaries and expenses of executive, professional, and clerical employees of the State Department of Education, including salaries, expenses and costs of supplies heretofore paid out of the appropriation called the "Revolving Fund".

Section 9. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for

each and every year thereafter to the: (1) Alabama College, (2) to the Alabama Polytechnic Institute, (3) to the University of Alabama, the following:

A. Alabama College:

Summer School Fund (Acts 1919, page 1037).....	\$ 2,800.00
Support and Maintenance (Acts 1919, page 795)....	42,000.00
House Bill 318 (Acts 1927, page 447).....	140,319.98

Total for Alabama College.....\$ 185,119.98

B. University of Alabama:

Summer School Fund (Acts 1919, page 1037).....	\$ 4,900.00
Maintenance and Operation Fund (Acts 1919, page 1037)	56,000.00
Mine Experiment Station Fund (Alabama School Code 1927, Section 565).....	17,500.00
Graduate School of Medicine (Acts 1919, page 1037)	7,000.00
School of Medicine (Acts 1919, page 1037).....	14,000.00
Extension Service Fund (Acts 1919, page 1037)....	5,250.00
Medical Aid Fund (Acts 1907, page 340).....	3,500.00
House Bill 318 (Acts 1927, page 447).....	248,749.05

Total for University of Alabama.....\$ 356,899.05

C. Alabama Polytechnic Institute:

Experimental Fields (Acts 1927, page 473).....	\$ 16,800.00
Summer School Fund (Acts 1919, page 796).....	3,500.00
Maintenance Fund (Acts 1919, page 796).....	31,500.00
Animal Husbandry (Acts 1919, page 796).....	8,750.00
Investigation in Agriculture (Acts 1919, page 797)	5,250.00
Extension Service (Alabama School Code 1927, Section 538)	113,750.00
Argiculture Research (Acts 1911, pages 5-8).....	18,900.00
Fund in lieu of Fertilizer Tag Tax (Acts 1927, page 796)	60,900.00
Sub-Agricultural Experimental Stations (Acts 1927, page 476).....	43,750.00
House Bill 318 (Acts 1927, page 447).....	248,749.05

Total for Alabama Polytechnic Institute.....\$ 551,849.05

Section 9A. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$201,000.00 for the Bonus School Fund, to be expended in accordance with the provisions of the statutes establishing such fund.

Section 9B. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for

each and every year thereafter, the sum of \$301,500.00 for the County High School Fund, to be expended in accordance with the provisions of the statutes establishing such fund.

Section 9C. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$22,050.00 for the Secondary Agricultural Schools, Demonstration Farms, to be expended in accordance with the provisions of the statutes establishing such fund.

Section 9D. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$5,000.00 for the Physical Restoration Fund, to be expended in accordance with the provisions of the statutes establishing such fund.

Section 9E. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$13,500.00 for Civilian Rehabilitation, to be expended in accordance with the provisions of the statutes establishing such fund.

Section 9F. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$4,000.00 for Services for the Blind, to be expended in accordance with the provisions of the Statutes establishing such fund.

Section 9G. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$5,000.00 for the Southern Industrial Institute, to be expended in accordance with the provisions of the Statutes establishing such fund.

Section 10. That in addition to all other appropriations and apportionments of public school money now provided by law and made available for elementary and secondary education, there shall be apportioned and paid to counties from the Equalization Fund provided for in Section 1 of this Act the amounts to be determined by the State Board of Education as hereinafter provided. In order for the public schools of a county to share in the apportionment of the Equalization Fund it shall meet the following conditions.

1. The county shall for the year for which aid is desired be levying and collecting the constitutional one-mill county school tax, the Constitutional three-mill county school tax and the Constitutional three-mill district school tax in the several districts covering the whole county provided that in case any district or districts in a county levying both the one-mill and three-mill county taxes fail to levy the three-mill district tax, the State Board of Education shall deduct from such county equalization apportionment an amount equivalent to that which the district or districts have failed

to levy. 2. In the expenditure of all available public school funds the county shall as nearly as practicable be providing the same length of term in all schools. 3. Beginning October 1, 1932, the county shall have provided for the preceding year a school term of at least 140 school days; provided that in case any district or districts are not levying and collecting the three-mill district tax, the county board of education shall not be required to maintain in such district or districts the minimum term of 140 days. 4. Beginning October 1, 1932, the county shall have expended for the preceding year funds allotted to teachers' salaries in accordance with a salary schedule or schedules to be adopted by the State Board of Education. The minimum salary schedule or schedules adopted for this purpose by the State Board of Education from time to time shall give due consideration to academic and professional preparation of teachers and to length of service rendered. 5. Beginning October 1, 1932, the amount expended for teachers' salaries in the preceding year shall be at least seventy-five per cent of all current expenses. Upon approval of the State Board of Education expenditures for transportation or any part thereof may be omitted from current expenses in making this computation. 6. The county shall have met such other standards as may be set up by the State Board of Education to insure equality of educational opportunity.

Section 11. To determine the amount which a county is entitled to receive from the Equalization Fund in any year proceed as follows: To the sum total of all funds available for elementary and secondary education in any and all schools located in the county from State appropriations and apportionments and all other public sources, including the poll tax, add the total yield of an assessment of the constitutional three-mill district school tax in the several districts covering the whole county and the total yield of an assessment of two mills of the county wide school tax on all taxable property of the county, and subtract this grand total from the cost of the minimum educational program to be equalized in the county as determined in Section 12 of this Act. The balance remaining shall be provided for out of the Equalization Fund and paid to each county as provided for in this Act.

Section 12. In determining the cost of the minimum program to be equalized the number of teacher units in each county shall be multiplied by an amount or amounts to be fixed by the State Board of Education. The amount or amounts by which the number of teacher units is to be multiplied shall be based on the average salaries required by the operation of the salary schedule or schedules hereinafter provided, together with the added percentage allowed for purposes other than instruction in current expenses. The number of teacher units shall be determined as follows:

1. One elementary teacher unit shall be allowed for each one-

teacher school when satisfactory evidence has been submitted to the State Department of Education showing that consolidation is impracticable. 2. One elementary teacher unit shall be allowed for each thirty pupils in average daily attendance in grades one to six in all other schools in the county during the preceding year. 3. One high school teacher unit shall be allowed for each thirty pupils in average daily attendance in grades seven to twelve, inclusive, in all other schools in the county during the preceding year. 4. One helping teacher (supervisor) shall be allowed for each seventy-five teacher units in a county; provided each county shall be allowed one helping teacher. If the number of elementary or high school teachers employed is less than the number as above computed and no adequate provision is made for the instruction of such excess pupils, the State Superintendent of Education may in his discretion use the total number of teachers employed, or any intermediate number between such actual number and the number determined as above computed, in ascertaining the amount of State aid to be apportioned as provided in Section 11 of this Act. No allowance shall be made for helping teachers (supervisors) except for those actually employed. The State Board of Education may on and after July 1, 1933, adopt rules changing the ratios to be used in determining the number of elementary and high school teachers as the basis on which the amount of State aid is to be allotted under this Act.

Section 13. In the determination of the salary schedule or schedules which shall control the expenditures of funds allotted for teachers' salaries the State Board of Education shall from time to time cause an investigation to be made of the current practices in regard to the salaries paid various employees engaged in instructional services of the several county and city boards of education in the State, giving due consideration to the academic and professional preparation of employees and to the length of service rendered. Nothing in this Act shall be construed to restrain counties or cities from the use of higher salary schedules than the minimum salary schedule set up by the State Board of Education.

Section 14. That the Attendance Fund provided for in Section 2 of this Act shall be apportioned to the several counties of the State in proportion to the aggregate attendance during the year next preceding that for which the apportionment is being made; provided that in order that the best interests of education may be conserved by the expenditure of this Fund county and city boards of education shall establish and maintain approved attendance, physical and health education programs as required by law and the regulations of the State Board of Education. It shall be the duty of the State Board of Education before making apportionment of the Attendance Fund to see that the conditions herein

prescribed have been met by all counties and cities participating in the apportionment of this Fund.

Section 15. That the special appropriation for libraries provided for in Section 3 of this Act shall be expended exclusively for the purchase of books to be used in school libraries under the same conditions as now provided by law; provided that county boards of education may at their discretion cooperate with other agencies in the establishment and maintenance of a county-wide library service, in which all public schools of a county are provided regularly with library facilities. It shall be the duty of the State Board of Education to make such rules and regulations and provide such general supervision for the library service of the State as will make the appropriation for this purpose of the greatest benefit to the schools. No county may share in the apportionment of the Library Fund that does not provide safe and ample protection for books placed in the several schools located therein. It shall be the duty of the County Superintendent of Education to see that this provision is fully complied with and the State Superintendent of Education may withhold aid from a county that fails properly to provide satisfactory care for all books.

Section 16. That in the expenditure of the appropriations provided in Section 4 of this Act it shall be the duty of the executive officers of the teacher-training institutions sharing therein to comply with the regulations of the State Board of Education in offering a standard program for the preparation of teachers both for and in service. The State Board of Education shall have full authority upon recommendation of the State Superintendent of Education to prescribe curricula for the various types of teaching service required in the public schools of the State, and shall authorize such recognition for the completion of prescribed curricula as may in its judgment be to the highest interest of the service. The Teacher Training Equalization Fund provided in Section 4 of this Act shall be expended under rules and regulations prescribed by the State Board of Education and shall be apportioned as follows: 1. The sum of \$70,000.00, except as otherwise provided in this Act, shall be apportioned to those institutions devoted primarily to the training of elementary teachers, under such rules and regulations as will make its expenditure of the greatest force and effect. 2. The sum of \$70,000.00 or so much thereof as may be necessary shall be devoted exclusively to the preparation of high school teachers, including the cost of administration, salaries of instructors, and expenditures necessary for providing adequate practice school facilities for student teachers. This fund shall, for the current quadrennium be apportioned to the State Institutions already engaged in the training of teachers for accredited senior high schools, under such rules and regulations as may be of the greatest benefit to sec-

ondary education; provided that before any part of it is apportioned to an institution for any year, the dean or director of the school of education of such institution shall submit through its president, a budget for the approval of the State Board of Education.

Section 17. That in apportioning the funds provided in this Act for the support and maintenance of the Agricultural and Mechanical Institute for Negroes at Normal and State Board of Education shall at all times endeavor to carry out the purposes of the Federal and State Acts which provide funds for this institution, and the first consideration shall be given at all times to the training of the Negro youth in agricultural pursuits and in the mechanical arts which will furnish opportunity for provitable employment for members of this race.

Section 18. That in the expenditure of the additional appropriation for aid in the erection, repair and equipment of rural school houses provided for in Section 19 of this Act the State Board of Education shall be governed by the provisions of the school code relating to the expenditure of such funds; provided that where permanent materials are specified in construction such as masonry walls of hard burned brick, reinforced concrete stone terra-cotta with stucco, or other equally permanent or substantial material, the amounts of State Aid may be increased not to exceed one hundred percent over and above those provided for in Article 18 of the School Code, and the limitations therein as to number of rooms shall not apply; provided further that before State Aid is granted for the construction of any such building the county board of education shall submit to the State Board of Education for its approval a proposed county wide building program which sets out in detail the location of all present and proposed buildings, and which provides both elementary and high school building facilities for all the children of the county. In the preparation of such county-wide building program the county board of education may ask assistance of the State Department of Education or of any other agency approved by the State Board of Education that can furnish data on the basis of which the county board of education may act intelligently. Permanent buildings in course of construction at the time of the approval of this Act shall be eligible to share in the proposed increases authorized by this Section.

Section 19. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$200,000.00 for the Rural House Building Fund, which shall be expended in accordance with the present law and the provisions of this Act.

Section 20. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year begin-

ning October 1, 1932, and for each and every year thereafter, the sum of \$35,000.00 for the Illiteracy Fund, which shall be expended in accordance with existing laws and the provisions of this Act.

Section 21. That in the expenditure of the appropriation for the removal of adult illiteracy provided for in Section 20 of this Act the State Board of Education shall set up such rules and regulations as will give full force and effect to the provisions of the school code relating to the expenditure of funds for the removal of illiteracy; provided that the State Board of Education may afford support through the Division of Exceptional Education to activities which have for their purpose of training of atypical children who are not now provided for in the State child-caring institutions; and provided further that through this Division the State Board of Education shall exercise its responsibility for providing proper educational opportunity for persons in the delinquent, corrective and penal institutions of the State.

Section 22. That the appropriation for vocational education provided for in Section 5 of this Act shall be expended under the provisions of Article 21 of the School Code relative to the expenditure of such funds; provided that the State Board of Education shall have authority to expend an amount not to exceed \$5,000.00 annually for crippled individuals whose restoration may be brought about by such expenditure; and provided further that out of this fund the State Board of Education may cooperate with other State agencies in setting up and executing a program for the care and restoration of crippled children.

Section 23. That in the apportionment and expenditure of the additional fund provided in Section 6 of this Act for high school education the State Board of Education shall prescribe conditions for its disbursement so as to make passible the development and maintenance of more nearly adequate high school facilities in the several counties of the State.

Section 24. That in order that the provisions of this Act may be made of the greatest benefit possible the State Board of Education may adopt such additional regulations not inconsistent with its provisions as may be deemed necessary for its proper administration.

Section 25. That the State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and the rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller shall issue his warrant therefor; provided that all appropriations and monies made available to the Alabama College, the Alabama Polytechnic Institute and the University of Alabama by the provisions of this Act shall be paid out quarterly upon requisition upon the Comptroller made in the manner as now provided by law.

Section 26. That if after the payment of the appropriations made by this Act, the funds in the Trust Fund are insufficient to pay the sums appropriated herein, then the same shall be prorated among said schools, colleges, institutions and funds, the same to be payable in such proportions as the total sum of all appropriations made in said sections bears to the total revenue available; and in the event there is a surplus in said Trust Fund after paying the appropriations made herein, then and in such event said surplus shall be prorated among said schools, colleges, institutions or funds named in this Act, the same to be payable in such proportion as the total sum of all appropriations made in said Act bears to the total amount of said surplus.

Section 26A. All funds appropriated by this Act to any school, institution, agency, cause or fund shall be devoted to the same purpose and in the same proportion as provided in existing statutes and shall be appropriated and expended in each instance as now provided by law governing or relating to the apportionments and expenditures of the same.

Section 27. That the several appropriations herein provided for shall be payable out of the Alabama Special Educational Trust Fund created and set apart for educational purposes by Section 2 of the General Revenue Bill of 1927, and no part or portion of said several appropriations herein provided for shall be chargeable to or payable out of or from the General Fund or Funds of the State.

Section 28. That the appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of the Budget and Financial Control Act.

Section 29. That if any section, clause, provision or portion of this Act or all or any portion of any appropriation herein made is held to be unconstitutional or invalid, it shall not affect any other section, clause, provision or portion of this Act, or any other appropriation or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 30. That all laws and parts of laws, general, special or private, in conflict with the terms and provisions of this Act, be, and the same are, hereby repealed.

And said Committee on Finance and Taxation also reported the following amendment to said committee substitute, to-wit:

AMENDMENT TO SUBSTITUTE FOR S. B. 236

Amend substitute for S. B. 236 by striking out Section 26 thereof and insert in lieu thereof the following:

"Section 26. That the appropriations made and provided for under Section 1, Section 2 and Section 9b of this Act shall be preferred claims and must be paid in full before any other appropriations herein are available or payable. That if after the payment of

the appropriations made in Sections 1, 2 and 9b of this Act, the funds in the Trust Fund are insufficient to pay other sums appropriated in this Act, then the same shall be prorated among said schools, colleges and institutions, the same to be payable in such proportions as the total sum of all appropriations made in said section bears to the total revenue available.

Amend further by adding between Section 26-a and in Section 27, the following;

"26-b. That not more than four per cent of all monies appropriated in and by Section 1, 2 and 9-b of this Act shall be used or expended otherwise than for the payment of teachers employed and directly engaged in teaching the students of the schools, colleges and institutions named in said sections."

Amend further by adding at the end of Section 4 the following:

"(8) For the Alabama Vocational School for Girls, \$5,000.00.

On motion of Mr. McDaniel, said amendment to the Committee Substitute was laid on the table.

Also on motion of Mr. McDaniel, said Committee Substitute was laid on the table.

Mr. McDaniel then offered the following substitute for said bill, to-wit:

Substitute for Senat bill No. 236:

A BILL

To be entitled an Act to amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades & Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," approved August 25th, 1927.

Be it enacted by the Legislature of Alabama:

That an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," approved August 25th, 1927, be and the same is hereby amended so as to read as follows:

SECTION 1. That there is hereby appropriated out of the Treasury to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter the sum of \$900,000 to be known as the Equalization Fund, which under the provisions of this Act shall be used exclusively for the equalization of educational opportunity in the public schools of the State.

SECTION 2. That in order to provide means for a better attendance and physical and health program there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter the sum of \$850,000.00 to be known as the Attendance Fund, and to be expended in accordance with the provisions hereinafter set out in this Act.

SECTION 3. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter the sum of \$17,500.00 for rural school libraries and which shall be expended in accordance with existing law and the provisions of this Act.

SECTION 4. That for the support and maintenance of the institutions named in this Section there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter: (1) for each of the normal schools located at Florence, Jacksonville, Livingston and Troy, the sum of \$52,500.00; (2) for each of the secondary agricultural schools the sum of \$6,659.00; (3) for the State Normal School located at Daphne \$10,000.00; (4) for the State Normal School for Negroes located at Montgomery \$52,500.00; (5) for the Tuskegee Normal and Industrial Institute \$5,000.00; (6) for the development and maintenance of better and more equitable teacher-training conditions there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$140,000. to be known as the Teacher Training Equalization Fund, which shall be expended in accordance with the provisions hereinafter set out in this Act; (7) for the Agricultural and Mechanical Institute for Negroes, located at Normal, the sum of \$17,500.00. Provided that in addition to the appropriation above named to the State Normal School at Daphne, when and in the event the funds appropriated to said school for additional grounds and equipment shall be released, there is appropriated out of the aforesaid Teacher Training Equalization Fund the sum of \$6,000.00 for the first year after the completion of the enlargement of the said School and the sum of \$12,000.00 for the next year, and the sum of \$18,000.00 for each year thereafter.

SECTION 5. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year

beginning October 1, 1932, the sum of \$224,000.00, and for each and every year thereafter the sum of \$224,000.00, to be used in supplementing the funds heretofore appropriated by the Federal Acts for Vocational Education and to be expended in accordance with existing law and the provisions of this Act.

SECTION 6. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$411,000.00, to be apportioned to the several counties of the State for the further support and maintenance of more nearly adequate high school facilities, and to be expended in accordance with the provisions hereinafter set out in this Act.

SECTION 7. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the support and maintenance of the Alabama School of Trades and Industries, for the year beginning October 1, 1932, the sum of \$35,000.00, and annually thereafter for said institution.

SECTION 8. That, in addition to the sum of \$52,500.00 appropriated in Section 31 of the General Appropriation Bill (Senate Bill No. 235), there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the further sum of \$70,000.00 to be expended by the State Board of Education in payment of certain salaries and expenses of executive, professional, and clerical employees of the State Department of Education, including salaries, expenses and costs of supplies heretofore paid out of the appropriation called the "Revolving Fund."

SECTION 9. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter (1) to the Alabama College, (2) to the Alabama Polytechnic Institute, and (3) to the University of Alabama, the following sums (to be devoted to the same purposes and in the same proportions as provided in existing statutes):

1. Alabama College:

Summer School Fund (Acts 1919, page 1037).....	\$ 2,800.00
Support and Maintenance (Acts 1919, page 795).....	42,000.00
House Bill 318 (Acts 1927, page 447).....	140,319.98
Total for Alabama College.....	\$185,119.98

2. University of Alabama:

Summer School Fund (Acts 1919, page 1037).....	\$ 4,900.00
Maintenance and Operation Fund (Acts 1919, page 1037)	56,000.00
Mine Experiment Station Fund (Alabama School Code	
1927, Section 565).....	17,500.00
Graduate School of Medicine (Acts 1919, page 1037).....	7,000.00

School of Medicine (Acts 1919, page 1037).....	14,000.00
Extension Service Fund (Acts 1919, page 1037).....	5,250.00
Medical Aid Fund (Acts 1907, page 340).....	3,500.00
House Bill 318 (Acts 1927, page 447).....	248,749.05

Total for University of Alabama.....	\$356,899.05
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3. Alabama Polytechnic Institute:

Experimental Fields, (Acts 1927, page 473).....	\$ 16,800.00
Summer School Fund (Acts 1919, page 796).....	3,500.00
Maintenance Fund (Acts 1919, page 796).....	31,500.00
Animal Husbandry (Acts 1919, page 796).....	8,750.00
Investigation in Agriculture (Acts 1919, page 797).....	5,250.00
Extension Service (Alabama School Code 1927, Section 538)	113,750.00
Agricultural Research (Acts 1911, page 5-8).....	18,900.00
Fund in lieu of Fertilizer Tag Tax (Acts 1927, page 796)	60,900.00
Sub-Agricultural Experiment Stations (Acts 1927, page 476)	43,750.00
House Bill 318 (Acts 1927, page 447).....	248,749.00

Total for Alabama Polytechnic Institute.....	\$551,849.05
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SECTION 9A. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$268,000.00 for the Bonus School Fund, to be expended in accordance with the provisions of the Statutes establishing such fund.

SECTION 9B. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$301,500.00 for the County High School Fund, to be expended in accordance with the provisions of the statutes establishing such fund.

SECTION 9C. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$22,050.00 for the Secondary Agricultural School Demonstration Farms, to be expended in accordance with the provisions of the statutes establishing such fund.

SECTION 9D. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$5,000.00 for the Physical Restoration Fund, to be expended in accordance with the provisions of the statutes establishing such fund.

SECTION 9E. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$13,500.00 for Civilian

Rehabilitation, to be expended in accordance with the provisions of the statutes establishing such fund.

Section 9F. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter the sum of \$4,000.00 for Services for the Blind, to be expended in accordance with the provisions of the statutes establishing such fund.

SECTION 9G. That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$100,000.00 for the "Revolving Fund," to be expended in accordance with the provisions of the statutes establishing such fund.

SECTION 10. That in addition to all other appropriations and apportionments of public school money now provided by law and made available for elementary and secondary education, there shall be apportioned and paid to counties from the Equalization Fund provided for in Section 1 of this Act the amounts to be determined by the State Board of Education as hereinafter provided. In order for the public schools of a county to share in the apportionment of the Equalization Fund it shall meet the following conditions:

1. The county shall for the year for which aid is desired be levying and collecting the constitutional one-mill county school tax, the Constitutional three-mill county school tax and the constitutional three-mill district school tax in the several districts covering the whole county provided that in case any district or districts in a county levying both the one-mill and three mill county taxes fail to levy the three-mill district tax, the State Board of Education shall deduct from such county equalization apportionment an amount equivalent to that which the district or districts have failed to levy.
2. In the expenditure of all available public school funds the county shall as nearly as practicable be providing the same length of term in all schools.
3. Beginning October 1, 1932, the county shall have provided for the preceding year a school term of at least 140 school days; provided that in case any district or districts are not levying and collecting the three-mill district tax, the county board of education shall not be required to maintain in such district or districts the minimum term of 140 days.
4. Beginning October 1, 1932, the county shall have expended for the preceding year funds allotted to teachers' salaries in accordance with a salary schedule or schedules to be adopted by the State Board of Education. The minimum salary schedule or schedules adopted for this purpose by the State Board of Education from time to time shall give due consideration to academic and professional preparation of teachers and to length of service rendered.
5. Beginning October 1, 1932, the amount expended for teachers' salaries in the preceding year shall

be at least seventy-five percent of all current expenses. Upon approval of the State Board of Education expenditures for transportation or any part thereof may be omitted from current expenses in making this computation. 6. The county shall have met such other standards as may be set up by the State Board of Education to insure equality of educational opportunity.

SECTION 11. To determine the amount which a county is entitled to receive from the Equalization Fund in any year proceed as follows: To the sum total of all funds available for elementary and secondary education in any and all schools located in the county from State appropriations and apportionments and all other public sources, including the poll tax, add the total yield of an assessment of the constitutional three-mill district school tax in the several districts covering the whole county and the total yield of an assessment of two mills of the county wide school tax on all taxable property of the county, and subtract this grand total from the cost of the minimum educational program to be equalized in the county as determined in Section 12 of this Act. The balance remaining shall be provided for out of the Equalization Fund and paid to each county as provided for in this Act.

SECTION 12. In determining the cost of the minimum program to be equalized the number of teacher units in each county shall be multiplied by an amount or amounts to be fixed by the State Board of Education. The amount or amounts by which the number of teacher units is to be multiplied shall be based on the average salaries required by the operation of the salary schedule or schedules hereinafter provided, together with the added percentage allowed for purposes other than instruction in current expenses. The number of teacher units shall be determined as follows:

1. One elementary teacher unit shall be allowed for each one-teacher school when satisfactory evidence has been submitted to the State Department of Education showing that consolidation is impracticable.
2. One elementary teacher unit shall be allowed for each thirty pupils in average daily attendance in grades one to six in all other schools in the county during the preceding year.
3. One high school teacher unit shall be allowed for each thirty pupils in average daily attendance in grades seven to twelve, inclusive, in all other schools in the county during the preceding year.
4. One helping teacher (supervisor) shall be allowed for each seventy-five teacher units in a county; provided each county shall be allowed one helping teacher. If the number of elementary or high school teachers employed is less than the number as above computed and no adequate provision is made for the instruction of such excess pupils, the State Superintendent of Education may in his discretion use the total number of teachers employed, or any intermediate

number between such actual number and the number determined as above computed, in ascertaining the amount of State aid to be apportioned as provided in Section 11 of this Act. No allowance shall be made for helping teachers (supervisors) except for those actually employed. The State Board of Education may, on and after July 1, 1933, adopt rules changing the ratios to be used in determining the number of elementary and high school teachers as a basis on which the amount of State aid to be allotted under this Act.

SECTION 13. In the determination of the salary schedule or schedules which shall control the expenditures of funds allotted for teachers' salaries the State Board of Education shall from time to time cause an investigation to be made of the current practices in regard to the salaries paid various employees engaged in instructional services of the several county and city boards of education in the State, giving due consideration to the academic and professional preparation of employees and to the length of service rendered. Nothing in this Act shall be construed to restrain counties or cities from the use of higher salary schedules than the minimum salary schedule set up by the State Board of Education.

SECTION 14. That the Attendance Fund provided for in Section 2 of this Act shall be apportioned to the several counties of the State in proportion to the aggregate attendance during the year next preceding that for which the apportionment is being made; provided that in order that the best interests of education may be conserved by the expenditure of this Fund county and city boards of education shall establish and maintain approved attendance, physical and health education programs as required by law and the regulations of the State Board of Education. It shall be the duty of the State Board of Education before making apportionment of the Attendance Fund to see that the conditions herein prescribed have been met by all counties and cities participating in the apportionment of this Fund.

SECTION 15. That the special appropriation for libraries provided for in Section 3 of this Act shall be expended exclusively for the purchase of books to be used in school libraries under the same conditions as now provided by law; provided that county boards of education may at their discretion cooperate with other agencies in the establishment and maintenance of a county-wide library service, in which all public schools of a county are provided regularly with library facilities. It shall be the duty of the State Board of Education to make such rules and regulations and provide such general supervision for the library service of the State as will make the appropriation for this purpose of the greatest benefit to the schools. No county may share in the apportionment of the Library Fund that does not provide safe and ample protection for books placed in the several schools located therein. It shall be the duty of the County Superintendent of Education to see that this provi-

sion is fully complied with and the State Superintendent of Education may withhold aid from a county that fails properly to provide satisfactory care for all books.

SECTION 16. That in the expenditure of the appropriations provided in Section 4 of this Act it shall be the duty of the executive officers of the teacher-training institutions sharing therein to comply with the regulations of the State Board of Education in offering a standard program for the preparation of teachers both for and in service. The State Board of Education shall have full authority upon recommendation of the State Superintendent of Education to prescribe curricula for the various types of teaching service required in the public schools of the State, and shall authorize such recognition for the completion of prescribed curricula as may in its judgment be to the highest interest of the service. The Teacher Training Equalization Fund provided in Section 4 of this Act shall be expended under rules and regulations prescribed by the State Board of Education and shall be apportioned as follows: 1. The sum of \$70,000.00, except as otherwise provided in this Act, shall be apportioned to those institutions devoted primarily to the training of elementary teachers, under such rules and regulations as will make its expenditure of the greatest force and effect. 2. The sum of \$70,000.00 or so much thereof as may be necessary shall be devoted exclusively to the preparation of high school teachers, including the cost of administration, salaries of instructors, and expenditures necessary for providing adequate practice school facilities for student teachers. This fund shall for the current quadrennium be apportioned on the same basis as for the last quadrennium to the State Institutions already engaged in the training of teachers for accredited senior high schools, under such rules and regulations as may be of the greatest benefit to secondary education; provided that before any part of it is apportioned to an institution for any year, the dean or director of the school of education of such institution shall submit through its president, a budget for the approval of the State Board of Education.

SECTION 17. That in apportioning the funds provided in this Act for the support and maintenance of the Agricultural and Mechanical Institute for Negroes at Normal and State Board of Education shall at all times endeavor to carry out the purposes of the Federal and State Acts which provide funds for this institution, and the first consideration shall be given at all times to the training of the Negro youth in agricultural pursuits and in the mechanical arts which will furnish opportunity for profitable employment for members of this race.

SECTION 18. That in the expenditure of the additional appropriation for aid in the erection, repair and equipment of rural school houses provided for in Section 19 of this Act the State Board

of Education shall be governed by the provisions of the school code relating to the expenditure of such funds; provided that where permanent materials are specified in construction such as masonry walls of hard burned brick, reinforced concrete, stone, terra-cotta with stucco, or other equally permanent or substantial material, the amounts of State Aid may be increased not to exceed one hundred per cent over and above those provided for in Article 18 of the School Code, and the limitations therein as to number of rooms shall not apply; provided further that before State Aid is granted for the construction of any such building the county board of education shall submit to the State Board of Education for its approval a proposed county wide building program which sets out in detail the location of all present and proposed buildings, and which provides both elementary and high school building facilities for all the children of the county. In the preparation of such county-wide building program the county board of education may ask assistance of the State Department of Education or of any other agency approved by the State Board of Education that can furnish data on the basis of which the county board of education may act intelligently. Permanent buildings in course of construction at the time of the approval of this Act shall be eligible to share in the proposed increases authorized by this Section.

SECTION 19. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$134,000.00 for the Rural School House Building Fund, which shall be expended in accordance with the present law and the provisions of this Act.

SECTION 20. That there is hereby appropriated out of the Treasury of the State to the State Board of Education for the year beginning October 1, 1932, and for each and every year thereafter, the sum of \$35,000.00 for the Illiteracy Fund, which shall be expended in accordance with existing laws and the provisions and the provisions of this Act.

SECTION 21. That in the expenditure of the appropriation for the removal of adult illiteracy provided for in Section 20 of this Act the State Board of Education shall set up such rules and regulations as will give full force and effect to the provisions of the school code relating to the expenditure of funds for the removal of illiteracy; provided that the State Board of Education may afford support through the Division of Exceptional Education to activities which have for their purpose the training of atypical children who are not now provided for in the State child-caring institutions; and provided further that through this Division the State Board of Education shall exercise its responsibility for providing proper educational opportunity for persons in the delinquent, corrective and penal institutions of the State.

SECTION 22. That the appropriation for vocational education provided for in Section 5 of this Act shall be expended under the provisions of Article 21 of the School Code relative to the expenditure of such funds; provided that the State Board of Education shall have authority to expend out of this fund an amount not to exceed \$5,000.00 annually for crippled individuals whose restoration may be brought about by such expenditure; and provided further that out of this fund the State Board of Education may cooperate with other State agencies in setting up and executing a program for the care and restoration of crippled children.

SECTION 23. That in the apportionment and expenditure of the additional fund provided in Section 6 of this Act for high school education the State Board of Education shall prescribe conditions for its disbursement so as to make possible the development and maintenance of more nearly adequate high school facilities in the several counties of the State.

SECTION 24. That in order that the provisions of this Act may be made of the greatest benefit possible the State Board of Education may adopt such additional regulations not inconsistent with its provisions as may be deemed necessary for its proper administration.

SECTION 25. That the State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and the rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller shall issue his warrant therefor; provided that all appropriations and moneys made available to the Alabama College, the Alabama Polytechnic Institute and the University of Alabama by the provisions of this Act shall be paid out quarterly upon requisition upon the Comptroller made in the manner as now provided by law.

SECTION 26. That if the funds in the Trust Fund are insufficient to pay the sums appropriated herein, then the same shall be prorated among said schools, colleges, institutions and funds, the same to be payable in such proportions as the total sum of all appropriations made in this Act bears to the total revenue available; and in the event there is a surplus in said Trust Fund after paying the appropriations made herein, then and in such event said surplus shall be prorated among said schools, colleges, institutions and funds named in this Act, the same to be payable in such proportions as the total sum of all appropriations made in said Act bears to the total amount of said surplus.

SECTION 26½. All funds appropriated by this Act to any school, institution, agency, cause or fund shall be devoted to the same purposes and in the same proportions as provided in existing statutes and shall be appropriated and expended in each instance as

now provided by law governing or relating to the apportionments and expenditures of the same.

SECTION 27. That not more than four per cent of all monies appropriated in and by Section 1, 2, 6 and 9B of this Act shall be used or expended otherwise than for the payment of teachers employed and directly engaged in teaching the students of the schools named in said sections.

SECTION 28. That the several appropriations herein provided for shall be payable out of the Alabama Special Educational Trust Fund created and set apart for educational purposes by Section 2 of the General Revenue Bill of 1927, and no part or portion of said several appropriations herein provided for shall be chargeable to or payable out of or from the General Fund or Funds of the State.

SECTION 29. That the appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of the Budget and Financial Control Act.

SECTION 30. That if any section, clause, provisions or portion of this Act or all or any portion of any appropriation herein made is held to be unconstitutional or invalid, it shall not affect any other section, clause, provision or portion of this act, or any other appropriation or portion thereof hereby made, not in and of itself unconstitutional or invalid.

SECTION 31. That all laws, and parts of laws, general special or private, in conflict with the terms and provisions of this Act, be and the same are hereby repealed.

Mr. Teasley offered the following amendment to said substitute, to-wit:

Amend Substitute for S. B. 236 by adding at the end of Section 4 the following:

"(8) For the Alabama Vocational School for Girls, \$5,000.00."

Which was adopted.

Mr. Mullins offered the following amendment to said substitute, to-wit:

Amend Section 9 of Substitute for Senate Bill 236 by adding subsection 9H. to read as follows:

9H. "That there is hereby appropriated out of the Treasury of the State for the year beginning October 1, 1932 and for each and every year thereafter, the sum of \$5,000.00 for the Southern Industrial Institute, to be expended in accordance with the provisions of the statutes establishing such fund."

Which was adopted.

Mr. Lapsley offered the following amendment to said substitute, to-wit:

Amend Section 28 of the Substitute for Senate Bill No. 236 by striking out the words "and no part or portion of said several appropriations herein provided for shall be chargeable to or payable

out of or from the General Fund or Funds of the State" and substituting therefor the words "and in the event there are not sufficient moneys in said trust fund for the payment in full of the amounts herein provided to be paid therefrom, the remainder of such appropriations shall be payable out of or from the General Fund or Funds of the State."

On motion of Mr. McDaniel, said amendment was laid upon the table.

Mr. Garrett offered the following amendment to said substitute, to-wit:

Amend Substitute for Senate Bill No. 236, Section 20 by striking therefrom the figures \$35,000.00 and adding in lieu thereof the figures \$1.00."

Which was adopted.

Mr. Lapsley offered the following amendment to said substitute, to-wit:

Amend Substitute for Senate Bill No. 236 by striking out Section 26.

Amend Substitute for Senate Bill No. 236 by striking out Section 27.

On motion of Mr. McDaniel, said amendment was laid on the table.

And said substitute offered by Mr. McDaniel, as thus amended, was then adopted.

Yeas, 29; nays, 1.

Yeas:

Messrs.:

Beasley

Bonner

Brown

Craft

Darden

Delony

Duncan

Farmer

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Jordan

Kelley

Lapsley

McDaniel

McDowell

Millsap

Mullins

Powell

Riddle

Scruggs

Shepherd

Teasley

Walker

Warren

Wikle

—29

Nay: Mr. Bartlett

— 1

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 24; nays, 3.

Yeas:

Messrs.:

Beasley

Bonner

Brown

Delony

Duncan

Farmer

Fletcher

Garrett

Goodwin

Hildreth

Hubbard

Jordan

Kelley

McDaniel

McDowell

Millsap

Powell

Riddle

Scruggs

Shepherd

Teasley

Walker

Warren

Wikle

—24

Nays: Messrs. Bartlett, Hooton and Lapsley

— 3

The bill:

S. 237. To amend an Act entitled "An Act to provide for the maintenance of the Alabama Home for Mental Inferiors," Approved February 3, 1923.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to said bill, to-wit:

Amend S. B. 237 by inserting immediately after the word "exceed" and before the figures "\$3.00" where said word and figures appear together in said bill, the words and figures "\$4.00 nor less than".

Further amend said bill by substituting the words "three dollars" for the words "two dollars and fifty cents" where the same appear together in said bill.

Further amend said bill by adding immediately after the words, "when countersigned by the superintendent of the Alabama Insane Hospital" where the same appear together, the words, "and the funds appropriated to and all earnings of said institution shall remain intact and not revert to or be recovered into the State Treasury at the end of any fiscal year.

Further amend said bill by inserting between the words "Maintenance of" where the same appear together in said bill the words, "repair and improvements".

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Bonner	Farmer	Kelley	Riddle
Brown	Fletcher	Lapsley	Scruggs
Craft	Garrett	McDaniel	Shepherd
Darden	Goodwin	McDowell	Warren
Delony	Hildreth	Millsap	Wikle

—24

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Jordan	Scruggs
Bonner	Fletcher	Lapsley	Shepherd
Brown	Garrett	McDaniel	Teasley
Craft	Goodwin	McDowell	Walker
Darden	Hildreth	Powell	Warren
Delony	Hubbard	Riddle	Wikle

—24

The bill:

S. 238. To amend Section 1463 of the Code of Alabama of 1923.

Was taken up.

The Standing Committee on Finance and Taxation reported amendment to said bill, to-wit:

Amend S. B. 238 by striking out the word "three" and substituting the words "Four dollars".

Further amend said bill by striking out the words "Two dollars and fifty cents" and substituting therefor the words "Three dollars."

Further amend said bill by adding immediately after the words: "When countersigned by the Superintendent" where the same appear together, the words: "and the funds appropriated to and all earnings of said institution shall remain in tact and not revert or be recovered into the State Treasury at the end of any fiscal year."

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs.:

Bartlett	Fletcher	Kelley	Scruggs
Bonner	Garrett	McDaniel	Shepherd
Brown	Goodwin	McDowell	Teasley
Craft	Hildreth	Millsap	Walker
Darden	Hubbard	Mullins	Warren
Delony	Jordan	Powell	Wikle
Duncan			

—25

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 27; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Kelley	Scruggs
Beasley	Fletcher	McDaniel	Shepherd
Bonner	Garrett	McDowell	Teasley
Brown	Goodwin	Millsap	Walker
Craft	Hildreth	Mullins	Warren
Darden	Hubbard	Powell	Wikle
Delony	Jordan	Riddle	

—27

CALENDAR BILLS RECOMMITTED

On motion of Mr. Teasley, the bills:

H. 551. To require that all sentences for a term or terms of less than six months as penalties for offenses and to enforce payment or satisfaction of fine imposed in misdemeanor cases tried and convicted in the courts of all counties of this State for viola-

tions of the criminal laws of this State, where such counties do not now or may not hereafter work their county convicts on the public roads or at other work in such counties, shall be to imprisonment in the county jail for the term or terms of such sentences.

Also:

H. 552. To amend an Act entitled: An Act to further regulate the custody, care, maintenance and use of the County Convicts by the several Counties of the State and by the State through its State Board of Administration, and to repeal all laws and parts of laws in conflict herewith." (Approved February 18, 1927).

Were taken from today's calendar and re-referred to the Standing Committee on Judiciary.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Twenty-sixth Legislative Day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Respectfully submitted,

Hubert Farmer,
Chairman,

COMMITTEE REPORT

On motion of Mr. Farmer, the foregoing report was concurred in and the Journal of the Senate for the Twenty-sixth Legislative Day, approved.

ADJOURNMENT

At 6:05 P. M., on motion of Mr. Hildreth and pursuant to Joint Resolution heretofore adopted, the Senate adjourned until Thursday, October 27th, 1932, at 10 A. M.

TWENTY-SEVENTH DAY

Thursday, October 27th, 1932.

The Senate met pursuant to adjournment, Lieutenant-Governor Merrill, presiding.

PRAYER

By Dr. Warren G. Cutts of Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:			
Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth	Mullins	

—35

JOURNAL

On motion of Mr. Goodwin the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

REPORTS OF COMMITTEES

Mr. Scruggs, Chairman of the Standing Committee on Revision of Laws, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Harrison:

H. 304. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of public utilities, and of their relations and contracts with holding companies and affiliated interests; and so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and charges; facilities and plants; franchises, licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities, and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the Commission or with

the provisions of this Act; and, as a part hereof, to amend sections 9750, and 9753 of the Code of Alabama of 1923.

By Mr. Bradford (Cherokee):

H. 415. To amend an Act approved September 9th, 1927, entitled: "An Act to advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes in the State of Alabama other than for schools owned or controlled by any religious sect or denomination."

By Mr. Harrison:

H. 526. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission, in the public interest, of transportation companies as defined by Section 9709 of the Code of Alabama of 1923, and to provide for the assessment, collection and payment of supervision and inspection fees by such transportation companies.

By Mr. Harrison:

H. 322. To amend SECTION 5392 of the 1923 Code of Alabama.

Mr. Teasley, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Matthews (with notice and proof):

H. 75. To authorize and provide for the payment of the sum of One Hundred Twenty Three Dollars (\$123.00) for the relief of Mrs. Ann Eliza Strother of Wilcox County, Alabama, who was entitled to an increase in pension for the January 1924 quarter, had she filed her reclassification pension application when she reached the age of seventy years.

By Mr. Stokes:

H. 261. To provide for the relief of Mrs. Maude Adams Beckman, widow of C. P. Beckman, deceased, and mother of said C. P. Beckman, Jr., deceased, and the three minor children of the said C. P. Beckman.

By Mr. Barber (with notice and proof):

H. 325. For the relief of Lieutenant Charles A. Jones, Junior, First Lieutenant of the One Hundred and Sixth Observation Squadron of the Alabama National Guard.

By Mr. Bradford (Jefferson):

H. 358. To amend Section 1 of an act entitled "An Act to authorize all cities and towns within the State of Alabama to fix

and collect licenses for any business, trade or profession done outside the corporate limits but within the police jurisdiction thereof", approved September 6, 1927.

By Mr. Green (Jefferson) (with amendment):

H. 541. To amend Section Three of an Act entitled an Act in reference to and to further provide for the general revenues of the State of Alabama, approved August 22, 1923.

By Mr. Goodwyn:

H. 595. To fix the salary of the Bond Clerk in the office of the State Treasurer and to provide for the payment of same and to make an appropriation therefor.

By Mr. Mullins:

S. 233. To amend Section 1201 of the Code of 1923. Appropriation for sick and Wounded.

By Mr. Lapsley:

S. 279. To provide for the issuance of registered warrants in exchange for State warrants which were outstanding and unpaid on September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability, including, inter alia, exemption from taxation, eligibility for investments and depository requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments shall not be subject to reduction under Act No. 37, approved September 27, 1932.

By Mr. Jordan:

S. 281. To provide that where two or more municipalities have consolidated or merged within one year prior to the passage of this Act, or may hereafter consolidate or merge, that in all cases where State and County licenses are levied upon a population classification, for a period of two years after the passage of this Act, the licenses levied shall be computed and based upon the population of the municipality according to the last Federal Census in which the place where such business or occupation is carried on was located prior to such consolidation or merger.

Mr. Teasley, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robinson:

H. 275. To provide that all business and/or occupational licenses which are payable through the office of the Probate Judge or other county, city or town officials authorized to issue licenses may be paid on a quarterly basis; to provide for the dates of such payment and when same shall become delinquent; to provide that such licenses shall be issued on an annual or semi-annual basis; to provide in case of a delinquency for the payment of the total amount of the license due; to provide for the manner of issuing the licenses and to repeal all laws or parts of laws in conflict herewith.

Mr. Edmundson, Chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. West:

H. 207. To authorize the governing body of all counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census to employ an attorney to be known as the County Attorney and to prescribe the duties of said employee and fix his compensation.

By Mr. West (with notice and proof):

H. 357. To provide for and further regulate the bailiffs to serve in the Circuit Court of the Tenth Judicial Circuit of Alabama and other courts in Jefferson County, Alabama, to fix the number and the method of appointing said bailiffs, to fix the maximum salaries for said bailiffs and to provide a method for fixing their compensation subject to said maximum salaries and to provide for the payment of their salaries and to repeal all laws and parts of laws, general, local or special, in conflict herewith.

By Mr. Green of Jefferson:

H. 407. To amend Section 1 of an Act entitled "An Act, to provide for the election of a Solicitor for each Judicial Circuit in the State and to fix his compensation and to authorize the appointment or election of Deputy Solicitors and Assistant Solicitors, prescribe their duties and authority and fix their compensation," approved September 25th, 1915.

By Mr. Green of Jefferson (with notice and proof):

H. 408. To repeal an Act entitled, "An Act to further regulate the jurisdiction of Justices of the Peace in Counties having a population of Three Hundred Thousand or more according to the last or any subsequent Federal census," approved July 20, 1931.

By Mr. Morrow:

H. 615. To fix the salaries of the circuit judges in Alabama in circuits now or hereafter having ten or more circuit judges and to provide for the manner of payment of same.

By Mr. Morrow:

H. 612. To fix the salaries of the circuit judges in Alabama in circuits now or hereafter having ten or more circuit judges and to provide for the manner of payment of same.

By Mr. Morrow:

H. 611. To fix the salaries of judges of inferior courts, having civil jurisdiction only, created in lieu of justices of the peace, for one or more precincts lying within or partly within any City of the State having a population of over 150,000 according to the last or any subsequent Federal Census.

By Mr. Robinson:

H. 594. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue, or other governing body, of counties having a population of more than Two Hundred Thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid."

By Mr. Morrow:

H. 569. To license and regulate the business of making loans, in sums of One Hundred Dollars or less, secured or unsecured, in all counties of this State having a population of Two Hundred Thousand or more, according to the last or any subsequent Federal census, to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation of the provisions of this Act, to make usurious contracts unenforceable except as to the principal and to declare all usurious contracts voidable as to interest; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this Act shall take effect and to provide that if any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

By Mr. Morrow (with notice and proof):

H. 563. To provide for the payment of the costs of advertisements of the sales of personal and real property in newspapers, as is provided for by Sections 7824, 7825, et. seq. of the Code of Alabama of 1923, in all counties of the State of Alabama having a population of 300,000, or more, according to the last or any subsequent Federal census; and to provide for the method of payment of such costs of advertisements.

By Mr. Bradford of Jefferson:

H. 547. To amend Section 14 of an Act of the Legislature of Alabama entitled, "An Act to establish an Inferior Court of Record in all counties in this State having a population of Three

Hundred Thousand (300,000) or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to prescribe the practice and the procedure therein and the way, manner and method of appeals therefrom." Approved July 20th, 1931.

By Mr. Morrow:

H. 520. To amend Section 19 of an Act entitled "An Act to establish an Inferior Court of Record in all Counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to provide officers therefor and to fix their qualifications, powers, duties and compensation; to prescribe the practice and the procedure therein and the way, manner and method of appeals therefrom," approved July 20th, 1931.

By Mr. Morrow (with notice and proof):

H. 512. To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualifications of jurors, for the preparation of jury rolls and the filling and re-filling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such board.

By Mr. Bradford of Jefferson (with notice and proof) (with amendment):

H. 509. To fix the compensation or salary of the Deputy Clerk of the Branch of the Circuit Court of the Tenth Judicial Circuit of Alabama, sitting at Bessemer, in Jefferson County, Alabama, and to regulate the payment of the same.

By Mr. Morrow:

H. 355. To provide for the payment of the costs of advertisement of the sales of personal and real property in newspapers, as is provided for by Sections 7824, 7825 et. seq. of the Code of Alabama of 1923, in all counties of the State of Alabama having a population of 300,000, or more, according to the last or any subsequent Federal census; and to provide for the method of payment of such costs of advertisements.

By Mr. Tate (with notice and proof):

H. 523. To further regulate the Juvenile and Domestic Relations Court of Jefferson County, to fix the compensation of the Judge thereof and to provide for payment of the same, to provide for a clerk, solicitor, probation officers and other employees to serve in said Court, the method of their selection and the method of fixing the number of such clerks, probation officers and other em-

ployees and their compensation, and to regulate the payment of same and the manner of payment, and to fix a schedule of maximum salaries of said clerks, solicitors, probation officers and other employees.

By Mr. Bradford of Jefferson:

H. 423. To amend Section Two of an Act approved June 26th, 1931, entitled an Act to provide for and regulate the assessment, levy and collection of municipal taxes of cities which now have a population of not less than sixty five hundred or more than fifteen thousand inhabitants according to any federal census hereafter taken; and to define the duties of the State, County and Municipal officers in regard thereto, and to fix the tax year for such cities and to make the county Tax Collector of the counties in which such cities are situated, ex-official collector of the property taxes for such cities.

By Mr. Edmundson:

S. 285. To fix the compensation or salaries of sheriffs of the State of Alabama in counties having more than three hundred thousand population according to the last or any subsequent Federal census and to provide for the method, basis and payment of such compensation and to fix the date that this Act goes into effect.

By Mr. Edmundson:

S. 284. To fix the compensation or salaries of the Circuit Clerks of the State of Alabama in all counties having more than three hundred thousand population according to the last or any subsequent federal census, and to provide for the method, basis and payment of such compensation and to fix the date that this Act goes into effect.

By Mr. Edmundson:

S. 283. To fix the compensation or salaries of judges of Probate of the State of Alabama in counties having more than three hundred thousand population according to the last or any subsequent Federal Census and to provide for the method, basis and payment of such compensation and to fix the date that this act goes into effect.

By Mr. Edmundson:

S. 282. To provide that in all judicial circuits of the State of Alabama having a population of more than 300,000 according to the last or any subsequent Federal Census, that each of the counties in said circuits supplement the salaries paid by the State of Alabama to each of said Circuit Judges and fixing the amount of such supplementary compensation and repealing all laws in conflict herewith, and all laws heretofore enacted supplementing such salaries.

Mr. McDowell, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a

favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Smith of Lee:

H. 666. To provide for a change of venue in actions pending in any court at the time of a transfer of a portion of the territory of one county to another county, by change of boundary line or otherwise, and to provide for payment of costs in such actions.

By Mr. Norman:

H. 585. To authorize municipalities and counties, within their respective jurisdictions as defined by the Act, to regulate housing and farm relocation corporations which shall subject themselves to this Act as provided herein.

By Mr. Norman:

H. 584. To aid relief of unemployment or destitution, existing or prospective, and to provide employment for excess labor, by authorizing the Governor of Alabama to accept title on behalf of the State to any lands subjected by the owner to any program deemed by him in aid of such purposes, under such terms for their holding, development, conveyance or reconveyance by the State as he may approve; also to authorize the Governor to agree, as to any such lands and as to any other lands to which title or any interest therein is vested in the State not otherwise held in trust or devoted to public use, with any person, firm, corporation or relief agency approved by him for the purpose upon a program for the holding, use or development and disposition of any such lands for said purposes and for their release therefrom; to authorize any or all such lands to be subjected by and with the approval of the Governor to any lien, conditional sale, lease sale contract, reservation of title, mortgage or other condition or agreement to secure any loan or advance made in furtherance of the program; to authorize the Governor to lend or make available the aid of the State Board of Administration, the State Highway Department or any other State agency (or county agency, the corporate authority of which shall consent) in furtherance of such program and to authorize the Governor to act in the premises directly or through any officer, person, firm, corporation, relief agency or commission to which he may specifically delegate authority in the premises under such appropriate limitations as he may prescribe; also to provide for the exemption from privilege taxes of the instruments executed or delivered in furtherance of such program and for the exemption from ad valorem taxes of such lands and improvements and equipment thereon, and the crops and produce thereof until paid out or otherwise released from the program to the extent provided in the Act.

By Mr. Sanderson:

H. 574. To amend Section 4820 of the Code of Alabama.

By Mr. Harrison (with amendment):

H. 551. To require that all sentences for a term or terms of less than six months as penalties for offenses and to enforce payment or

satisfaction of fine imposed in misdemeanor cases tried and convicted in the courts of all counties of this state for violations of the criminal laws of this State, where such counties do not now or may not hereafter work their county convicts on the public roads or at other work in such counties, shall be to imprisonment in the county jail for the term or terms of such sentences.

By Mr. Harrison (with amendment):

H. 552. To amend an Act entitled: "An Act to further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the state through its state board of administration, and to repeal all laws and parts of laws in conflict herewith." (Approved February 18, 1927).

Mr. Mullins, Chairman of the Standing Committee on Public Health, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Ogden:

H. 251. To permit the use, hire or letting of convict labor, State and/or county, for use in the construction or maintenance of drains, outlets for drains and/or reopening of any filled or partly filled drains and/or for the construction or maintenance of any levees in connection with drains, established or constructed now or that may be hereafter established or constructed under the provisions of present or future enacted general laws relating to drainage districts incorporated to promote public health and general welfare: And to provide ways and means of effecting such use, hiring or letting and methods of effecting such results.

Mr. Craft, Chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Craft (with notice and proof):

S. 234. For the relief of Mobile County, requiring the State of Alabama to take over the title to, the possession of, the upkeep and maintenance of Mobile County Highway Improvement No. 11, consisting of that portion of Telegraph Road from Three Mile Creek to Chickasaw, and described as commencing at the intersection of the present Telegraph Road with the South Bank of Three Mile Creek and running thence northwestwardly following the present location of the Telegraph Road through the town of Plateau and connecting with the Craft Highway (State Highway No. 5) at Chickasaw, Alabama, a total distance of 3.5 miles; Mobile County Highway Improvement No. 12, known as the Bay Bridge Approach, and described as commencing at the intersection of the Telegraph Road and the Prichard Road at a point on the Telegraph

Road approximately one-half mile north of Three Mile Creek and following the paved roadway east a distance of approximately one-quarter mile, crossing the Southern Railroad on a concrete viaduct; at this point continued eastwardly following a double paved roadway a distance of approximately three quarters of a mile to the west end of the Cochrane Bridge; also an additional roadway described as follows: Beginning at the west end of the double paved roadway above described and running southwestwardly following a paved roadway to an intersection with the Telegraph Road at a point 250 feet north of Three Mile Creek, a total distance of 1.5 miles; Mobile County Highway Improvement No. 13, known as the Mount Vernon-Citronelle Road, commencing at an intersection with the Craft Highway at Mount Vernon known as State Highway No. 5 at a point near Curry's Drug Store and running westwardly through the following sections in Township 2, North, Range 1 west, 36-26-27-28-21-20 and 19; also through the following sections in Township 2 north, Range 2 west, 24-13-14, 23, 22, 21, 28, 29 and 30 to an intersection with the City Limits of the town of Citronelle in Section 30, Township 2 north, Range 2 west, a total distance of 14.25 miles; Mobile County Highway Improvement No. 14, known locally as the Prine Road and described as commencing at the point where Main Street in Citronelle intersects the Western City Limits of the town of Citronelle and extending westwardly through the following sections in Township 2 north, Range 3 west, 35 and 34 and through the following sections in Township 1 north, Range 3 west, 3, 4, 9, 8, 15, 14, 19 and through the following sections in Township 1, north, Range 4 west, 24 and 23 to an intersection with the Lott Road near the center of Section 23, Township 1 north, Range 4 west, a total distance of 8 miles; and to require the State of Alabama to reimburse Mobile County for the full amount of the money expended by Mobile County in the construction of the said roads.

Mr. Powell, Chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Powell:

S. 278. To provide for the subordinate officers and employees of the Legislature, including the Senate and House of Representatives; to fix their positions, number, term of office, election or appointment, and how elected, selected or appointed; to fix the compensation of such subordinate officers and employees, and to provide how, when and upon what condition, and for what length of time such compensation is to be paid; to provide further that the Senate or House, either or both, has or have no authority by reso-

lution or rule to change the number or compensation of such officers or employees, and that such can be done only by Legislative enactment in the form of a bill or act of the Legislature; to repeal all laws, or parts of laws, in conflict with the provisions of this Act.

Mr. Darden, Chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sutton (with notice and proof):

H. 621. To amend Section 7 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

By Mr. Sutton (with notice and proof):

H. 622. To require all warrants, claims, drafts or certificates for salaries, expenses or other claims of State and County officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable, in whole or in part, upon warrants, claims, drafts or certificates drawn upon the County Treasurer, County Treasury, or County Depository of Marengo County, Alabama, by such officers or persons, to be itemized, verified and presented to the Board of Revenue of said County, for audit, allowance and payment; to take away from such officers and other persons the authority to draw such warrants, claims, drafts or certificates; and to provide that all warrants, claims, drafts or certificates drawn on or against County funds hereafter shall be authorized and drawn only by the Board of Revenue of Marengo County, Alabama.

By Mr. Sutton (with notice and proof):

H. 599. To regulate and prohibit the use of steel traps in Marengo County, Alabama.

By Mr. Manasco (with notice and proof):

H. 652. To amend section (4) of an Act entitled an Act to amend Sections (4) and (6) of an Act entitled an Act "To prescribe the qualifications and term of the judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority, approved July 17, 1931."

By Mr. Lee of Coffee (with notice and proof):

H. 452. To relieve the tax assessor of Coffee County, Alabama, from the duty of preparing a book of assessments, as is now required by General Law, and in lieu thereof to provide that the original assessment lists or sheets shall be permanently bound and kept as a permanent record; and to provide that tax collector's abstracts shall be made from said assessment sheets so bound.

By Mr. Sossaman (with notice and proof) (with amendment):

H. 603. To establish a Budget Commission and to provide for the preparation of a budget for Mobile County; to provide that the appropriations by the Board of Revenue and Road Commissioners of Mobile County shall not exceed the income of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by Mobile County, or any department or agency of Mobile County, having charge of the disbursements and expenses of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.
By Mr. Granade (with notice and proof):

H. 649. To place the Probate Judge, Tax Assessor, Tax Collector, Clerk of the Circuit Court and the Register in Chancery of Mobile County, Alabama, on a salary basis, and to provide the salaries to be paid each of such officers; to provide the date on which each of such officers shall be placed on a salary basis; to provide for the manner of payment of the salaries of such officers out of the County Treasury of Mobile County, Alabama; to provide secretaries, clerks, assistants, clerical help and allowances for each of such officers and to provide the salaries and manner of payment of such salaries for such secretaries, clerks, assistants and clerical help; to provide for payment into the Treasury of Mobile County of all fees, fines and forfeitures collected by said officers; and to provide that nothing in this Act shall be construed to mean that the Tax Collector and Tax Assessor shall not be entitled to the fees, salaries and commissions now provided by law for the collection of public school moneys.

By Mr. Taylor (with notice and proof):

H. 604. To authorize and empower, but not to require, the Board of School Commissioners of Mobile County, in their sole discretion, to furnish free text books to pupils in the public schools of Mobile County, in all the school grades or in any one or more grades or in any one or more subjects; to use public school funds to that end; and to devise and put in force plans, rules and regulations to secure proper distribution, safekeeping and return of the books; providing that the title to, and control of such free text books shall remain in the said Board and that the books must be returned to the Board at the conclusion of the period of their use; and providing that nothing in the Act contained shall be construed to require any parent, guardian or custodian, of any child in a school grade to which free text books may be furnished hereunder, to have the child take or use such free text books, if such parent or other custodian should prefer to purchase or otherwise procure the required texts, in which case the books would remain the property of him or his successor in interest.

By Mr. Williams (with notice and proof) (with substitute):

H. 532. To fix the salary of the Judge of Probate of Calhoun County and to provide for clerical assistance and other expenses

of said office to fix the salary of Tax Collector of Calhoun County, and to provide for clerical assistance and other expenses of said office; to fix the salary of the Tax Assessor of Calhoun County, and to provide for clerical assistance and other expenses of said office; to require each of said officers to collect all the fees, compensations, and allowances, heretofore collected by said officers, and which may hereafter be collected by said officers, and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary, clerical assistance, and other office expense by the Treasurer of the County.

By Mr. Brown:

S. 262. To further provide for the duties and compensation of tax assessors and of tax collectors in the assessment and collection of state and county taxes in any county of this state, the boundary lines of which have been altered or rearranged, or which may hereafter be altered or rearranged.

By Mr. Brown:

S. 286. To establish a county court in any county of this state, the boundary lines of which have been altered, or rearranged, and in which no county court is now established, and to prescribe the manner in which prosecutions for misdemeanors shall be begun, tried and determined therein, and appeals taken therefrom, and to fix the salary or compensation of the Judge and clerk thereof, and to repeal all laws, whether local, general or special, in conflict herewith.

Mr. Hubbard, Chairman of the Standing Committee on Education, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Pierce:

H. 527. To make state aid available for the repair and equipment of municipally owned school buildings under the control of county boards of education.

By Mr. Hamby:

H. 610. To amend Section 130 of the School Code of Alabama.

ADVERSE REPORT

Mr. Hildreth, Chairman of the Standing Committee on Constitution and Constitution Revision and Amendments, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with an adverse report, and it was placed on the adverse calendar, to-wit:

By Mr. St. John:

H. 414. To submit to the qualified electors of the State of Alabama at the general election to be held on the first Tuesday after the first Monday in November 1934, for their consideration, an

amendment to Section 49 of Article IV of the Constitution of 1901, providing for the pay of members of the Legislature and fixing their per diem at eight dollars per day and their expenses at ten cents per mile in going to and returning from the seat of government, and to prohibit any additional expense, compensation or allowance.

RESOLUTIONS

The Rules Committee reported the following Senate Resolution:

S. R. 87. Resolved by the Senate that the following bills be made special orders on the regular call of the Calendar to be taken up in the order they appear here:

1. S. 232, page 22
2. H. 421, page 4
3. H. 429, page 24
4. H. 113, page 31

And on motion of Mr. Powell, said report was concurred in, the Resolution adopted, and said bills, S. 232, H. 421, H. 429, and H. 113 made special orders, to be taken up in the order named.

Mr. Shepherd offered the following Senate Resolution:

S. R. 88. Resolved that the Senate Finance and Taxation Committee be and it is hereby requested to immediately report to the Senate House Bill 124 in order that the same may have due consideration by the entire Senate.

Which was read and referred to the Standing Committee on Rules.

Mr. Mullins offered the following joint resolution:

S. J. R. 89. Whereas, it has been more than a decade since we have witnessed such whole hearted enthusiasm on the part of the people of this Nation in behalf of the standard bearers of the Democratic party as is now being manifested in the support of the Honorable Franklin D. Roosevelt and the Hon. John N. Garner, the leaders we have placed at the forefront of our battle against the common enemy; and,

Whereas, the nationwide support of the people behind these great leaders, who have proven themselves fearless in the promulgation of the principles of democracy, is indicative of the dawn of a brighter and better day for the common country, the establishment of a new order, a restoration of national memory over the plight of the forgotten man, and an expression of appreciation of the party platform; and,

Whereas, Not a single plank of the platform adopted by our party in National Convention at Chicago evades or dodges any vital public question affecting the happiness and welfare of the people of this country, but is plain and unambiguous in its declarations and embodies language which is both readable and under-

standable, and the whole Nation awaits with renewed hope and faith its ratification at the ballot boxes of the country on November 8th:

Now, therefore, be it resolved by the Senate of Alabama, the House concurring, that we heartily approve and endorse the courageous leadership of our party standard bearers and the platform upon which they have so effectively gone before the country in an effort to restore the national government to the party of the people, and that we commend such leaders and the platform of our party to the common country; that the Governor of this State be, and he is hereby, requested upon the adoption of this Resolution, to forward copies of the same to each Senator and Representative in Congress from the State of Alabama, the Chairman of the Democratic National Committee and the Chairman of the Democratic National Campaign Committee with such endorsement thereon as shall seem right and proper to him in the premises.

Which was read and referred to the Standing Committee on Rules.

Mr. Darden offered the following Senate resolution:

S. R. 90. WHEREAS, there are a large number of Senate Bills on the Calendar of the Senate and this is the last Legislative Day on which said bills can pass the Senate and be acted upon by House Committees and passed in that body during this Special Session:

NOW, THEREFORE, Be it resolved by the Senate:

1. That Senate Local Bills be first taken up during the day and acted upon, and that in acting upon Senate Bills that only local bills be first passed and sent to the House without engrossment, followed by general bills.

2. After the disposition of said Senate Bills, House Bills then be taken up and acted upon.

3. That the Senate remain in Session until all Senate and House Bills be acted upon during the day.

And on motion of Mr. Darden, the rules were suspended and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 84. Requesting Committee of Conference on disagreement of the two Houses on the Senate amendment to H. 449, and the Speaker of the House has named as Conferees on part of the House, Messrs. Harrison, St. John and Patterson.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON ENGROSSED BILLS

Mr. President:

Your Standing Committee on Engrossed Bills begs leave to report that said committee, in session, have compared the following engrossed bills with the original bills, respectively, and find same correctly engrossed, to-wit:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

S. 236. To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," Approved August 25th, 1927.

C. G. Brown,
Chairman.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:
By Mr. Goodwyn:

H. 661. To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby and a lien against such premises.

Also:

By Mr. Goodwyn:

H. 662. Further to provide for the purchase, construction and improvement of waterworks systems in cities, villages and incorporated towns in the State of Alabama, and to provide for the issuance of revenue bonds payable solely out of the revenues derived therefrom, and to provide for the operation of such systems in case of deficiencies in revenue.

Also:

By Mr. Green of Jefferson:

H. 671. To enable the court of county commissioners, Board of Revenue, or other governing body in any county of Alabama to make other or further provision for the care of the poor and needy.

Also:

By Mr. Goode:

H. 392. To provide for the issuance of registered warrants in exchange for State warrants which were outstanding and unpaid on September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability, including, inter alia, exemption from taxation, eligibility for investments and depositary requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments shall not be subject to reduction under Act No. 37, approved September 27, 1932.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

House Bills 661 and 662, to the Committee on Municipalities and Municipal Organizations.

House Bills 671 and 392, to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Goode:

H. 390. To make appropriations for the ordinary expenses of the executive, Legislative and Judicial Departments of the State, for interest on the public debt and for the public schools, annually, for the fiscal years ending the thirtieth day of September 1933, 1934 and 1935.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read once and referred to appropriate Standing Committee as follows:

H. 390, to the Committee on Finance and Taxation.

EXPLANATION

Mr. Farmer made the following explanation, and on his request, same was ordered spread upon the Journal:

Mr. President:

I ask unanimous consent that the Senate Journal show that if I had been present on the last Legislative Day when the vote was taken on the motion of the Senator from Wilcox to table the motion of the Senator from Tallapoosa to take S. 257 from the Adverse Calendar, my vote would have been Aye, and in support of the motion of the Senator from Wilcox.

This October 27, 1932.

Hubert Farmer.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, The Governor, with his objections to and veto of the bill:

H. 131. For the relief of William H. Winston and Estella Winston both of Clarke County, Alabama, whose son Percy Winston was killed by a crazed inmate of the Alabama insane hospital at Mt. Vernon, Alabama, while the said Percy Winston was in the discharge of his duties as an employee of the State of Alabama at said hospital.

Said Governor's Message being in words and figures as follows, to-wit:

To the Legislature of Alabama,

Montgomery, Alabama.

Gentlemen:

I am herewith returning to the House of Representatives, the body in which it originated, House Bill No. 131, without my approval.

This bill is an act for the relief of William H. Winston and Estella Winston and appropriates \$1000.00 to be paid to them. Percy Winston, the son of William H. Winston and Estella Winston, was employed at the hospital for the Insane at Mt. Vernon, Alabama, and while he was working at his duties there was killed by one of the inmates of the Hospital.

An investigation of the facts, which was made at the time that Percy Winston was killed, showed that the negro who killed him had not shown any evidence of being vicious or dangerous and that no one could have foreseen that he would suddenly become dangerous and kill a person. It appears that nothing could have been done to have avoided the killing since he had showed no signs of his being a dangerous inmate who should have been confined.

Percy Winston was employed in the regular way and probably could have known as well as any other employee if the inmate were dangerous

and could have furnished the information. Under the circumstances it appears that the State would not be liable for the death of Percy Winston.

The State had made no plans for paying damages on account of injuries or death to any one and there is no tribunal where a case can be investigated. No provision is made for funds to pay for injuries or for death to any one. Since the State should treat all of its citizens alike, I believe that no special relief bills should be passed and that if claims of this character are to be paid that a general law should be passed and a Court of Claims or other tribunal provided for the purpose of ascertaining when damages should be paid and in what amount.

Under the present state of the Treasury there are no funds from which a claim of this kind can be paid. We have just begun a system of balancing the budget and of not going into debt. It would be impossible to keep a balanced budget if the Legislature passes and the Governor approves special claims for injuries without providing some fund from which these claims can be paid.

The killing of Percy Winston was unfortunate and regrettable but I do not believe that the State should, under the circumstances, appropriate money for the mother and father of the young man killed.

Respectfully,

B. M. Miller,
Governor.

October 25, 1932.

And the House has reconsidered and again passed said bill, H. 131, the veto of the Governor to the contrary notwithstanding, by a vote of a majority of the whole number elected to the House, said vote being: Yeas, 57; nays, 15.

And said bill together with the Governor's message containing his objections to and veto of the bill are sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Garrett, the Senate reconsidered and again passed H. 131, the title of which is set out in the foregoing Message from the House, the Governor's veto to the contrary notwithstanding.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Caffey

Craft

Darden

Duncan

Edmundson

Farmer

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Jordan

McDowell

Millsap

Mullins

Powell

Riddle

Scruggs

Warren

Wikle

—24

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 45. To amend Section 1 of an Act of the Legislature of Alabama approved September 29th, 1919 entitled "An Act to declare the 11th day of November in each and every year a memorial day for the Alabama World War Veterans who died in the recent war and to make the day a legal holiday in Alabama."

Also:

H. 286. To create the Jefferson M. Falkner Confederate Memorial Preventorium, to provide for a board of trustees therefor and to define the duties and powers of such Board, and fixing the terms of office of the members thereof; to provide for a superintendent of such Preventorium, and to define his rights, duties, and powers; to provide for the fixing of charges for the patients or inmates admitted to said Preventorium, and for the payment of the same and that the State Board of Health and Alabama Committee of Public Health shall advise and co-operate with said Board of Trustees and Superintendent, to permit the use for such purposes of any part of the Jefferson M. Falkner Soldiers Home at Mountain Creek, Alabama, not needed for use of the inmates of the said Soldiers Home; and to permit the delivery to said Preventorium for use therein of any live-stock, poultry, farm or dairy products belonging to the State, at the discretion of the Governor, for such purposes.

Also:

H. 329. To permit certain amusements, recreations and entertainments to be furnished and engaged in on Sunday in cities of sixty thousand or more population according to the last or any succeeding Federal Census, and to provide a method whereby such amusements and recreations on Sunday may be prohibited in such cities, and to repeal all laws and parts of laws in conflict with the provisions of this Act.

Also:

H. 399. To amend Section 3040 of the 1923 Code of Alabama.

Also:

H. 420. To amend Section 3048 of the 1923 Code of Alabama.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary

of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.
Gentlemen:

I am herewith returning to the Senate, the body in which it originated, Senate Bill No. 79, without my approval.

This bill appropriates \$2,000.00 for the relief of J. A. Kizer, who was injured by having the fingers cut off his right hand while working for the Alabama Insane Hospital.

The facts in this case were such that if the Hospital had been a private corporation it would not have been liable in damages on account of negligence. There was no contention that there was anything the matter with the saw or that any foreman or director of Kizer was guilty of negligence.

Of course, if under the Compensation Law by which employees are paid whether there was any negligence or not the employer would have to pay. If the State is to assume the policy of paying damages for injuries to employees of its different institutions and agencies and of paying damages to outsiders, who are injured, it should have some court or officials to pass on the question of damages and the amount and should set up a fund to pay the damages, or to carry insurance. The State is now trying to maintain a balanced budget and it will be practically impossible to do that with the uncertainty of special appropriations for damages.

I can not approve this bill,

Respectfully,

B. M. Miller,
Governor.

October 27, 1932.

GOVERNOR'S MESSAGE

On motion of Mr. Warren, the Senate reconsidered and again passed the bill:

S. 79. To provide for the special relief of J. A. Kizer by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

The Governor's veto to the contrary notwithstanding.

Yeas, 22; nays, 5.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Craft
Darden
Duncan

Garrett
Goodwin
Hildreth
Hubbard
Jordan
Kelley

Lapsley
McDaniel
McDowell
Mullins
Riddle

Scruggs
Shepherd
Teasley
Warren
Wikle

—22

Nays:

Messrs.:

Caffey
Cooper

Delony

Farmer

Millsap

— 5

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 78. Relative to athletic relations being resumed between the University of Alabama and the Alabama Polytechnic Institute.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

BILL TAKEN FROM ADVERSE CALENDAR

Pursuant to notice heretofore given, Mr. Duncan moved to take from the Adverse Calendar, have the same read the second time and placed on the Regular Calendar, the bill:

H. 313. To grant the right and privilege to any regularly and duly licensed broadcasting station or company operating within the State of Alabama to broadcast by radio all athletic contests or games staged by or sponsored by or participated in, within the State of Alabama, by any educational institution located within the State of Alabama and which derives or receives any financial aid, support or contribution from the State of Alabama or any political subdivision or agency thereof; and to make it unlawful for any executive officer, board of trustees, or any person acting on behalf of any such educational institution to refuse or prohibit such right or privilege to any such broadcasting company or station.

Said conference report being in the following words and figures to-wit:

Which motion prevailed, and said bill was taken from the Adverse Calendar, read a second time and placed on the Regular Calendar for a third reading on tomorrow.

Yeas, 27; nays, 2.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Jordan	Scruggs
Bonner	Farmer	Kelley	Shepherd
Caffey	Fletcher	Lapsley	Walker
Cooper	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth	Mullins	

—27

Nays: Messrs. Hubbard and Riddle.

— 2

BILLS INDEFINITELY POSTPONED

On motion of Mr. Craft, the Senate indefinitely postponed further consideration of the bill:

S. 251. To repeal an Act of the Legislature of Alabama approved October 1st, 1923, entitled "An Act creating and establishing

the Juvenile Court of Mobile County, defining its powers and jurisdiction and providing for the process and procedure of said court, for the equipment of said court, for the judge and officers of said court, their terms of office and their salaries, and defining their duties, and the payment by the Board of Revenue and Road Commissioners of Mobile County of all premiums that may accrue on account of the bond of the clerk thereof; for the transportation of the probation officers; for the service of process, including warrants, and the fees thereof and the payment of said fees; for the detention of juvenile delinquents; providing for a commission to aid in carrying out the work of the court and prescribing its duties; and providing for appeals from any final order or judgment of said court; (making it an offense for any person knowingly and wilfully to encourage, aid, abet, cause a state of delinquency of any child sixteen years of age, or under, or produce, promote, or contribute to the conditions which render any child delinquent, and providing the punishment therefor;) providing for the transfer of certain cases to said Juvenile Court. Providing for the support and maintenance in certain cases of delinquent children by the Board of Revenue and Road Commissioners of Mobile County; providing for the apprehension of such children and the commitment of them to any family, association, or institution; for the transportation of such children and the payment of the costs by Mobile County; providing for the commitment of Juvenile delinquents to any family, association or institution within the State to which they may be respectively committed, and providing for the payment of the costs thereof by the Board of Revenue and Road Commissioners of Mobile County, providing for payment by the City of Mobile, of one-half of the expenses arising out of the operation of said court; and for the protection of said children against any disqualification or prejudice in any other court, or in the civil service of the state or municipality on account of any judgment or order of said court, or any confession, statement, declaration or admission or silence or demeanor of said Juvenile delinquents, or any statement made to any person or officer of the court, and providing for the repeals of certain laws."

On motion of Mr. Edmundson, the Senate indefinitely postponed further consideration of the following bills:

S. 273. To repeal an Act approved February 3rd, 1923, entitled "An Act to create the office of Deputy Circuit Clerk of the Criminal Division of the Circuit Court in all counties of the State having a population of more than 200,000 according to the last or any subsequent Federal Census; to provide for the appointment of any such officer and the election of his successor; to prescribe the duties, authorities and to fix the compensation of such Deputy Circuit Clerk."

Also:

S. 274. To repeal an Act entitled "An Act to provide for and require all county officers of all counties in Alabama now having or which may hereafter have a population of as much as one hundred and fifty thousand people according to the last Federal Census, or any such census which may hereafter be taken, to install, equip and maintain in addition to their offices at the county sites of such county offices at each other place in such counties where a Circuit Court or Court of like jurisdiction is now authorized by law to be held, or where such court may hereafter be authorized by law to be held, for the transaction of all business pertaining thereto that may arise in or be connected with that part of such county without which the cases arising therein may be tried in such Circuit Court or court of like jurisdiction at such place, to provide for the selection, qualification and compensation and fix the powers and duties of the deputies of the respective officers of such counties, to act for and assist such officers in the discharge of their duties in connection therewith, to fix the duties of the respective county officers of such counties with reference thereto, to provide equipment for such offices, including stationery, records, books, dockets, furniture, filing cases and other equipment for such offices similar to that kept in the respective offices of such counties at the county site; to prescribe the business of the respective offices and officers of such counties that shall be transacted at such places; to prescribe and regulate the instruments recorded thereat, and to otherwise provide for the installation, equipment and maintenance of such offices and officers at such places for the transaction of all business pertaining to such offices and officers that may arise within such territory of such counties. Approved September 16, 1915.

BILLS ON THIRD READING

The bill:

H. 421. A bill to be entitled an Act to propose an amendment to the Constitution of Alabama, to be known as Article A A, to provide that it shall be unlawful for the Auditor of the State of Alabama to draw any warrant, or other order for the payment of money belonging to, or administered by, the State of Alabama, upon the State Treasurer, unless and until it shall have been certified to such Auditor by such Treasurer, in writing, that there is then in the hands of such Treasurer, money available, and appropriated for the full payment of the same; and to provide that, in case there is, at the end of the fiscal year insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, for the proration of the same, and for the issuance and payment of warrants for the several prorated sums; and to provide that all unpaid appropriations which

exceed the amount of money in the State Treasury at the end of each fiscal year available for their payment, shall become null and void to the extent of such excess; and to provide that if there shall be in the State Treasury, at the end of any fiscal year, any money of the general fund in excess of the appropriations for that year, that the same shall be covered into a special fund for the sole benefit of the common schools of Alabama and to provide penalties for the violation of any of the provisions of such amendment.

Be it enacted by the Legislature of Alabama:

Section 1. That an amendment to the Constitution of the State of Alabama, to be known as Article A A, is hereby proposed, the proposed amendment being as follows:

Article A A. From and after the adoption of this amendment it shall be unlawful for the Auditor of the State of Alabama to draw any warrant or other order for the payment of money belonging to, or administered by, the State of Alabama upon the State Treasurer unless and until it shall have been certified to such Auditor by such Treasurer that there is then in the hands of such Treasurer money available, and appropriated, for the full payment of the same. In case there is, at the end of any fiscal year, insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, the Auditor shall issue warrants for that proportion of each such claim which the money available for the payment of all of said claims bears to the whole, and such warrants for such prorated sums shall thereupon be paid by the State Treasurer. At the end of each fiscal year all unpaid appropriations which exceed the amount of money in the State Treasury subject to the payment of the same after the proration above provided for, shall thereupon become null and void to the extent of such excess. If there shall be in the State Treasury at the end of any fiscal year, any money in the general fund in excess of the appropriations for that year, such excess shall be covered into a special fund for the sole benefit of the common schools of Alabama.

The word 'Auditor,' as herein used shall include any officer who may hereafter be vested with the powers now exercised by the State Auditor of Alabama, and the word 'Treasurer,' as herein used shall include any officer charged with the custody and disbursement of funds belonging to or administered by the State of Alabama.

Any person violating any of the provisions of this Article shall, on conviction, be punished by a fine of not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the penitentiary for not more than two years, one or both, at the discretion of the jury trying the same, and the violation of any of the provisions of this Article shall also be ground for impeachment."

Section 2. An election by the qualified electors of the State

upon such proposed amendment is hereby ordered, and the day hereby appointed for such election is the general election to be held in the State of Alabama in the year 1934, viz, the second Tuesday, in November, 1934.

Section 3. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each County in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article A A of the Constitution of Alabama?" "Article A A. From and after the adoption of this amendment it shall be unlawful for the Auditor of the State of Alabama to draw any warrant or other order for the payment of money belonging to, or administered by, the State of Alabama upon the State Treasurer unless and until it shall have been certified to such Auditor by such Treasurer that there is then in the hands of such Treasurer money available, and appropriated, for the full payment of the same. In case there is, at the end of any fiscal year, insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, the Auditor shall issue warrants for that proportion of each such claim which the money available for the payment of all of said claims bear to the whole, and such warrants for such prorated sums shall thereupon be paid by the State Treasurer. At the end of each fiscal year all unpaid appropriations which exceed the amount of money in the State Treasury subject to the payment of the same after the proration above provided for, shall thereupon become null and void to the extent of such excess. If there shall be in the State Treasury at the end of any fiscal year, any money in the general fund in excess of the appropriations for that year, such excess shall be covered into a special fund for the sole benefit of the common schools of Alabama.

The word 'Auditor,' as herein used shall include any officer who may hereafter be vested with the powers now exercised by the State Auditor of Alabama, and the word 'Treasurer,' as herein used shall include any officer charged with the custody and disbursement of funds belonging to or administered by the State of Alabama.

Any person violating any of the provisions of this Article shall, on conviction, be punished by a fine of not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the penitentiary for not more than two years, one or both, at the discretion of the jury trying the same, and the violation of any of the provi-

sions of this Article shall also be ground for impeachment. Yes. No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, expressing his desire.

Section 5. The officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officers as provided by the election law of the State, for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the Constitutional provisions concerning amendments to that instrument.

Section 6. The votes cast at said election on said amendment shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

Was taken up.

Mr. Hildreth offered the following amendment to said bill, to-wit:

Amend House Bill No. 421 as follows:

1. By amending Sections 1 and 4 of said bill so as to make the second paragraph of said proposed amendment "Article AA" read as follows:

"The word 'Auditor' as herein used shall include any officer who is now or who may hereafter be vested with the powers now or formerly exercised by the State Auditor of Alabama in the issuance of State Warrants, and the word 'Treasurer', as herein used shall include any officer charged with the custody and disbursement of funds belonging to or administered by the State of Alabama".

Which was adopted.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett

Bonner

Cooper

Craft

Darden

Delony

Edmundson

Farmer

Goodwin

Hildreth

Hooton

Hubbard

Kelley

McDowell

Powell

Shepherd

Teasley

Walker

Warren

Wikle

—20

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Powell
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Goodwin	McDaniel	Walker
Cooper	Hildreth	McDowell	Warren
Craft	Hooton	Millsap	Wikle
Darden			

—25

The bill:

S. 232. To authorize and empower the Board of Revenue or Court of County Commissioners, of each and every County in Alabama to expend an amount not to exceed one-third of the total amount that may be received by each county from the levy and collection of any tax on gasoline in the payment of any debt that may have been heretofore incurred by such county for the construction and/or maintenance of roads or bridges.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas, 26; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Bonner	Duncan	Kelley	Scruggs
Brown	Edmundson	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth		

—26

The bill:

H. 429. To amend Sections 17, 18, 52, 55, 56, and 60 of the Municipal Bond Code, being an Act of the Legislature of Alabama, approved September 10, 1927, entitled "An Act to provide a code of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act," as heretofore amended.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Hildreth	McDowell
Bonner	Darden	Hooton	Millsap
Brown	Delony	Kelley	Powell
Caffey	Duncan	Lapsley	Teasley
Cooper	Goodwin	McDaniel	Wikle

—20

The bill:

H. 113. Defining contract carriers and common carriers by motor vehicle not subject to the provisions of the Alabama Motor Carrier Act of 1931; to authorize, regulate and govern the transportation for hire of persons and property on public highways by motor vehicles operated by such contract carriers and common carriers; to authorize, regulate and govern the issuance of permits therefor; to regulate and govern the rates and practices of such carriers; to provide for the payment of fees, and for the payment of excise taxes for the use of the public highways by such contract carriers and common carriers, and to provide for the disposition thereof; to enlarge the powers and duties of the Alabama Public Service Commission and Probate Judges of the State with respect to permits issued to and the regulation and control of such carriers, and to provide for the payment of fees to such Probate Judges; to provide for the appointment of resident agents (upon whom service of process may be had) of such contract carriers and common carriers who may be non-residents of the State; to authorize municipalities in this State to prescribe license taxes to be paid by such contract carriers and common carriers; to prescribe and regulate the practice and procedure before the Alabama Public Service Commission with respect to said carriers, and to authorize and prescribe appeals from rulings with respect to such carriers, and to regulate injunctions and like orders, respecting the same; and to provide for the enforcement, and to prescribe punishment and penalties for the violation of this Act.

Was taken up.

Mr. Garrett offered the following amendment to said bill, to-wit:

Amend Subsection 3 of Section 2 of House Bill Number 113 so as to read as follows:

Section 3. Motor vehicles designated primarily for the transportation of property, equipped wholly with pneumatic tires and operated by a contract carrier, which vehicles, when unloaded, weigh 4500 pounds or less, shall not be required to comply with any portion of this Act, except that such contract carrier shall at all times be required to have and keep on such vehicles a good and sufficient indemnity bond or insurance policy for the protection of the public in the collection of damages for which the carrier may be liable by reason of the operation of any such motor vehicle as provided by Article 7 Section 26 of this Act; provided, however, that no such exempt vehicle shall be loaded with a load in excess of 4500 pounds.

On motion of Mr. Teasley, said amendment was laid upon the table.

Yeas, 19; nays, 12.

*Yeas:**Messrs.:*

Bartlett	Hildreth	Lapsley	Scruggs
Duncan	Hooton	McDaniel	Teasley
Edmundson	Hubbard	McDowell	Warren
Fletcher	Jordan	Mullins	Wikle
Goodwin	Kelley	Powell	

—19

*Nays:**Messrs.:*

Beasley	Cooper	Delony	Riddle
Bonner	Cowart	Garrett	Shepherd
Caffey	Darden	Millsap	Walker

—12

Mr. Garrett also offered the following amendment to said bill, to-wit:

Amend Section 3 of H. B. No. 113 by striking the figures 4500 in line 23 and inserting in lieu thereof the figures 8000.

On motion of Mr. Hooton said amendment was laid upon the table.

Yeas, 18; nays, 12.

*Yeas:**Messrs.:*

Bartlett	Hildreth	Lapsley	Scruggs
Duncan	Hooton	McDowell	Shepherd
Edmundson	Hubbard	Mullins	Teasley
Fletcher	Jordan	Powell	Wikle
Goodwin	Kelley		

—18

*Nays:**Messrs.:*

Beasley	Cooper	Delony	Riddle
Brown	Cowart	Garrett	Walker
Caffey	Darden	Millsap	Warren

—12

Mr. Garrett also offered the following amendment to said bill, to-wit:

Amend Section 19 of H. B. 113 to read "at least 18 years of age" instead of 21 years.

On motion of Mr. Scruggs, said amendment was laid upon the table.

Yeas, 17; nays, 12.

*Yeas:**Messrs.:*

Duncan	Hooton	McDowell	Scruggs
Edmundson	Hubbard	Millsap	Shepherd
Fletcher	Jordan	Mullins	Teasley
Goodwin	Kelley	Powell	Wikle
Hildreth			

—17

*Nays:**Messrs.:*

Beasley	Caffey	Darden	Riddle
Bonner	Cooper	Delony	Walker
Brown	Cowart	Garrett	Warren

—12

Said bill was then read a third time at length and passed.

Yeas, 20; nays, 10.

*Yeas:**Messrs.:*

Bartlett	Fletcher	Jordan	Powell
Beasley	Goodwin	Kelley	Scruggs
Darden	Hildreth	McDaniel	Teasley
Duncan	Hooton	McDowell	Warren
Edmundson	Hubbard	Mullins	Wikle

—20

*Nays:**Messrs.:*

Bonner	Cowart	Millsap	Shepherd
Caffey	Delony	Riddle	Walker
Cooper	Garrett		

—10

The bill:

H. 260. To amend Section 8277 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

*Yeas:**Messrs.:*

Bartlett	Darden	Hubbard	Mullins
Beasley	Delony	Jordan	Powell
Bonner	Duncan	Kelley	Scruggs
Brown	Fletcher	Lapsley	Teasley
Caffey	Garrett	McDaniel	Walker
Cooper	Goodwin	McDowell	Warren
Cowart	Hildreth	Millsap	Wikle
Craft	Hooton		

—30

The bill:

S. 222. To amend Section 1 of an Act entitled "to transfer the jurisdiction of the juvenile courts in all counties of thirty-five thousand population or less according to the last or any subsequent Federal Census to county inferior courts that are now or have been or may hereafter be established in any such counties," approved July 22, 1931, by providing that such Act shall not apply to counties which now have or may hereafter have a population of less than twenty-five thousand inhabitants according to the last or any subsequent Federal Census, and to provide for the transfer of the juvenile court jurisdiction in such counties to the probate courts thereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hubbard	Mullins
Beasley	Delony	Jordan	Powell
Bonner	Duncan	Kelley	Scruggs
Brown	Fletcher	Lapsley	Teasley
Caffey	Garrett	McDaniel	Walker
Cooper	Goodwin	McDowell	Warren
Cowart	Hildreth	Millsap	Wikle
Craft	Hooton		

—30

The bill:

S. 247. To repeal an Act of the Legislature of Alabama approved March 8th, 1915, entitled "An Act to provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the control of said homes".

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Mullins
Beasley	Edmundson	Jordan	Powell
Brown	Farmer	Kelley	Scruggs
Caffey	Fletcher	Lapsley	Teasley
Cooper	Garrett	McDaniel	Walker
Craft	Goodwin	McDowell	Warren
Darden	Hildreth	Millsap	Wikle
Delony	Hooton		

—30

The bill:

S. 246. To establish a Budget and provide for the preparation of a Budget for the Public School System of Mobile County by the Board of School Commissioners of Mobile County; to provide that the appropriations by such Board shall not exceed the income of the Public School System of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by the Board of School Commissioners of Mobile County or any department or agency of the Public School System of Mobile County having charge of the disbursements and expenditures of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

The bill:

S. 248. To repeal an Act of the Legislature of Alabama approved September 2nd, 1927, entitled "An Act to provide detention homes for juvenile delinquents in Mobile County, including the appointment of officers and the fixing of their salaries and the maintenance thereof."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Powell
Beasley	Duncan	Jordan	Riddle
Bonner	Edmundson	Kelley	Scruggs
Caffey	Farmer	McDaniel	Shepherd
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden	Hildreth		

—30

The bill:

S. 249. To repeal an Act of the Legislature of Alabama approved August 16th, 1919, entitled "An Act to amend Section 1, of an Act entitled an Act "Creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hooton	Powell
Beasley	Delony	Jordan	Riddle
Bonner	Duncan	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Walker
Cooper	Garrett	Millsap	Warren
Cowart	Goodwin	Mullins	Wikle
Craft	Hildreth		

—30

The bill:

S. 250. To repeal an Act of the Legislature of Alabama approved March 29th, 1915, entitled "An Act creating and establishing the juvenile court of Mobile County, and defining its powers and jurisdiction; providing for the process and procedure of said court; for the equipment of said court; for officers of said court and their salaries and defining their powers and providing a commission to aid in carrying out the work of the court and prescribing its duties."

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Edmundson	Jordan	Powell
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Goodwin	McDowell	Walker
Craft	Hildreth	Millsap	Warren
Darden	Hooton	Mullins	Wikle
Delony	Hubbard		

—30

The bill:

S. 275. To fix the compensation or salary of the Register of the Circuit Court of Jefferson County, Alabama, and to regulate the payment of the same.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Edmundson	Jordan	Riddle
Brown	Farmer	Lapsley	Scruggs
Caffey	Fletcher	McDaniel	Shepherd
Cooper	Garrett	McDowell	Teasley
Cowart	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

The bill:

S. 269. To authorize Board of County Commissioners of Madison County, to donate to Local Chapter of American Red Cross in said County, for relief of destitution, proceeds of excise gasoline tax distributed to said County under the provisions of an Act of the Legislature of Alabama, approved July 27, 1931; and to repeal all laws in conflict with this Act.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

*Yeas:**Messrs.:*

Bartlett	Duncan	Hubbard	Powell
Bonner	Edmundson	Jordan	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Fletcher	Lapsley	Shepherd
Cowart	Garrett	McDaniel	Teasley
Craft	Goodwin	McDowell	Walker
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

The bill:

S. 267. To provide for a Special Election to be held in Coosa County, Alabama, on Tuesday, December 6th, 1932, to determine by the Electors of said County, whether or not the Commissioners' Court of Coosa County, Alabama, shall be abolished and a County Board of Revenue created and established in lieu of the Commissioners' Court; to define the number of members on the Board of Revenue, if approved, to define their qualifications, fix their compensation; and prescribe their duties, powers and obligations; to require each member to execute a good and solvent bond in the sum of Five Thousand Dollars, payable to and approved by the Probate Judge of said county; to provide for the appointment and/or election of the members of Board of Revenue and their term of office; to make the Board of Revenue a court of record when acting in judicial capacity, and to require minutes to be kept and subject to public inspection and to prohibit closed or secret sessions of the Board of Revenue; to require the Board of Revenue to buy all County Supplies, in excess of fifty dollars, including books, stationery, records, road machinery, gasoline, motor oil parts for tractors or machinery of the county, from the lowest responsible competitive bidder; to prohibit and punish any member of the Board of Revenue from employing any one related to any member of the Board of Revenue within the fourth degree by blood or consanguinity to do any work for the county, or to act as agent of any member of the Board of Revenue to do or to perform any act for such member; to provide that the Board of Revenue of Coosa County may appoint or elect a qualified and suitable man as County Road Superintendent who shall have control of the working and maintaining of the County public roads, to fix his salary or compensation which shall not be more than One Hundred Dollars per month with actual expenses added not to exceed Twenty-Five Dollars per month; if the Board of Revenue fails or refuses to elect or appoint such Road Superintendent of County Roads for sixty days after this Act goes into effect, the Governor is empowered and directed to make the appointment and fix his compensation and the Board of Revenue may at any time remove such Road Superintendent on ten days' notice, with or without cause, if the financial condition of the county require such removal, and the Board of

Revenue or the Governor may fill such vacancy any time the Board of Revenue of Coosa County or the Governor may deem expedient and for the best interests of the county; to provide that members of the Board of Revenue shall not receive for any month for all services rendered and mileage traveled more than Thirty-five Dollars; to provide that members of the Board of Revenue and the Board of Revenue shall observe all local and general laws not in conflict with the provisions of this Act; to provide that if a majority of the electors of Coosa County, Alabama, shall vote in favor of abolishing the Court of County Commissioners and establishing in lieu thereof a Board of Revenue for the County, then all the provisions of this Act shall go into effect on January 1st, 1933, but if not so approved, this Act with all its provisions shall go into effect on First Monday after the Second Tuesday, in January, 1935.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Edmundson	Jordan	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Fletcher	Lapsley	Shepherd
Cooper	Garrett	McDaniel	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden	Hooton		

—30

The bill:

S. 268. To further regulate the actions, duties, obligations, powers and responsibilities of the members of the Commissioners Court, Boards of Revenue, or other similar governing body of Coosa County, Alabama; to require each member of said Commissioners Court, Board of Revenue, or other governing body of said Coosa County, Alabama, to execute a bond in the sum of Five Thousand Dollars for the faithful, honest and diligent discharge of the duties of such offices, and to provide any one injured or damaged by the dishonest, unfaithful or negligence of such officers may maintain a suit in their own name, including the county, for damages sustained by such acts; to prohibit any member of the Commissioners Court, Board of Revenue, or other like or similar body of said county from employing, directly or indirectly, any person related within the fourth degree by affinity or consanguinity to any member of the Commissioners Court, Board of Revenue, or to act as his agent in any capacity, and to provide the Commissioners Court, Board of Revenue, or similar or like governing body of Coosa County, Alabama, to purchase all county supplies, including stationery, books, road machinery, gasoline and motor oil, and all other county re-

quirements in amounts of more than fifty dollars from the lowest competitive and responsible bidder and to provide a penalty for failing to do so; and to provide that this Act shall not repeal any general or local law not in conflict with the provisions of this Act. And to further provide that the members of the Commissioners Court, Board of Revenue, or members of other like or similar governing bodies of Coosa County, Alabama shall not draw in excess of Thirty-Five Dollars per any calendar month for per diem and mileage for all duties or work performed, and to require each member to file a written, itemized and sworn statement of the work done, nature of the same, dates worked, and mileage traveled in the discharge of their official duties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Jordan	Powell
Beasley	Edmundson	Kelley	Riddle
Brown	Farmer	Lapsley	Scruggs
Caffey	Fletcher	McDaniel	Shepherd
Cowart	Garrett	McDowell	Teasley
Craft	Goodwin	Millsap	Walker
Darden	Hildreth	Mullins	Warren
Delony	Hubbard		

—30

The bill:

S. 276. To provide for a Special Election to be held in Coosa County, Alabama, on the 6th day of December, 1932, to determine whether or not the County Board of Education of Coosa County Alabama, shall be abolished and a County School Board of Coosa County, Alabama, shall be created and established with three members in lieu thereof; and to provide for the appointment of members of the County School Board for Coosa County, Alabama, by the Governor until the next general election, and thereafter to be elected by the qualified electors of the county and to hold office for a term of four years from the second Tuesday after first Monday in January, after their election; to define the qualifications, duties and powers of members of the County School Board; to fix the compensation of Members of the County School Board and provide the manner of paying the same; to prohibit secret or closed sessions of the Public School Board; to provide for the organization of the Public School Board and to require minutes of each meeting be made within five days after each session and to provide for public inspection of the same; to provide that the provisions of this Act, if ratified by the electors in the Special Election provided for in this Act, shall go into effect on the first day of January, 1933, and if not ratified by the qualified electors of the county in the special election,

then all the provisions of this Act, except the Special Election provision, shall go into effect and be operative on the second Tuesday after the first Monday in January, 1935, and Members of the County School Board shall be elected at the general election in 1934 as other county officers are or may be elected; and to require the County School Board of Coosa County, Alabama, to comply with all local and general laws, not in conflict with the provisions of this Act; and to repeal all laws and parts of laws in conflict with the provisions of this Act.

Was taken up.

Mr. Darden offered the following amendment to said bill, to-wit:
Amend Senate Bill No. 276 as follows:

1. Strike out the words "Public School Board" wherever they appear in the caption or body of said Bill and insert therefor the words: "County School Board".

2. Amend Section Five so as to read as follows:

SECTION FIVE.—The County Board of Education of Coosa County, Alabama, is hereby abolished, and a County School Board of and for Coosa County, with three members, is hereby created and established.

Further amend said bill by adding the following section:

Section Five-A—The County School Board shall at its first meeting, or as soon thereafter as convenient, elect one of its members Chairman of the Board, who shall preside at all meetings and elect another member vice-chairman, who shall act in the absence of the chairman. The chairman of the Board shall vote on all questions coming before the board, and each member's vote must be recorded when requested by any member of the board or by any one interested in the matter being considered. Accurate minutes of each meeting must be kept by the County Superintendent of Education of the County, as now required by law, and who shall be Secretary of the Board. Minutes must be reduced to writing within five days after each meeting, and the records of the Board shall be open to public inspection at all reasonable hours of business days or at any other time. The County Board of Education may nominate any teacher for principal or other position in any of the schools of the county, where the name or names submitted are not satisfactory with the Board or a majority thereof.

Which was adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Caffey
Cooper
Coward

Craft
Darden
Delony
Duncan
Edmundson

Farmer
Fletcher
Garrett
Goodwin
Hildreth

Hooton
Hubbard
Jordan
Kelley
McDaniel

McDowell	Powell	Teasley	Warren
Millsap	Scruggs	Walker	Wikle
Mullins	Shepherd		

—30

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Edmundson	Jordan	Riddle
Caffey	Farmer	Lapsley	Scruggs
Cooper	Fletcher	McDaniel	Shepherd
Cowart	Garrett	McDowell	Teasley
Craft	Goodwin	Millsap	Walker
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

The bill:

S. 277. To provide for a Special Election to be held in Coosa County, Alabama on Tuesday, December 6th, 1932 to determine by the qualified electors of the county whether or not the offices of Tax Collector and Tax Assessor shall be abolished, and the office of Tax Assessor-Collector created and established in lieu thereof; to define the qualifications, term of office, his powers, duties and obligations of the Tax Assessor-Collector; to fix his compensation and fix the manner of paying the same; to provide for a deputy Tax Assessor-Collector, and to fix his compensation at not more than six hundred dollars per annum to be paid in the same manner as the Tax-Assessor-Collector's salary is paid; to require the Tax Assessor-Collector to collect and pay into the County Treasury all the commissions, fees and other compensation now received by the Tax Assessor and Tax Collector of said County, or that such officers may be entitled to collect and receive for or on their compensation, as a special fund, and out of that special fund the salary of the Tax Assessor-Collector and his Deputy Tax-Assessor-Collector shall be paid; to provide for the manner and to what purpose any excess of said special fund, over and above the salaries of the tax-assessor-collector and his deputy, may be expended:

And to provide if a majority of the qualified electors of Coosa County, Alabama, shall vote favorably to abolish the offices of Tax Collector and Tax Assessor of Coosa County, and create and establish in lieu thereof the office of Tax Assessor-Collector, then the provisions of this Act shall become effective, in full force and effect on the first day of January, 1933, but if not so approved by the **qualified electors of Coosa County**, then the provisions of this Act shall become effective on September 1st, 1935.

And to provide that the Governor shall appoint a Tax Assessor-Collector for Coosa County, Alabama, in the event the qualified

electors shall approve the abolishment of the offices of the Tax collector and tax assessor of Coosa County, Alabama and the creation of the office of Tax Assessor-Collector, who shall serve until next general election when his successor shall be elected; and to provide for the election thereafter of said Tax Assessor-Collector by the qualified electors of the county for term of four years.

And to provide that the Tax Assessor-Collector shall execute a good and solvent bond in the amount now provided by law for tax collectors and tax assessors for the county, and that bond may be made either by personal securities or by a bonding company, authorized to do business in Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Edmundson	Jordan	Powell
Brown	Farmer	Kelley	Riddle
Caffey	Fletcher	Lapsley	Scruggs
Cooper	Garrett	McDaniel	Teasley
Cowart	Goodwin	McDowell	Walker
Craft	Hildreth	Millsap	Warren
Darden	Hooton	Mullins	Wikle
Delony	Hubbard		

—30

The bill:

S. 266. To create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission; to authorize said Commission to make reductions in all assessments against property included in the following paving ventures, to-wit:

Series "W"—21st Paving
 Series "X"—22nd Paving
 Series "Y"—23rd Paving
 Series "Z"—24th Paving
 Series "AB"—25th Paving
 Series "CD"—26th-A Paving
 Series "IJ"—26th Paving
 Series "MN"—27th Paving

To provide for the payment of reduced assessments and any refunds due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix a penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal from the finding of such Commission.

Was taken up.

The Standing Committee on Local Legislation reported the following Substitute for said bill, to-wit:
Substitute to Senate Bill 266:

A BILL

To be entitled an Act to create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission, to authorize said Commission to make reductions in all assessments against property included in the following paving ventures, to-wit:

- Series "W"—21st Paving
- Series "X"—22nd Paving
- Series "Y"—23rd Paving
- Series "Z"—24th Paving
- Series "A-B"—25th Paving
- Series "C-D"—26-A Paving
- Series "I-J"—26th Paving
- Series "M-N"—27th Paving

To provide for the payment of reduced assessments and any refunds due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix the penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal for the finding of such Commission.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby created a Commission of Adjustment in the City of Mobile, Alabama, whose membership shall be composed of the following residents of the City of Mobile, namely: F. L. Giblin, Clarence V. Evans and The Mayor of the City of Mobile. In the event of inability of any Commissioner to continue his duties, or in the event of any vacancy, the remaining member or members of such Commission shall appoint a successor to fill the vacancy thus created, which appointment shall be made at a regular meeting of the Commission, and which shall be shown on the minutes of such Commission; each Commissioner shall hold office until the duties of such Commission, as hereinafter set out, are completed, which must be done in eighteen months. Any person appointed to such Commission must be a resident and qualified elector of the City of Mobile, Alabama.

Section 2. Such Commission on its appointment shall cause to be prepared a list of all real property in the City of Mobile, Alabama, against which a lien exists and/or assessment has been made for paving of the streets included in the following paving ventures:

Series "W"—21st Paving
Series "X"—22nd Paving
Series "Y"—23rd Paving
Series "Z"—24th Paving
Series "A-B"—25th Paving
Series "C-D"—26-A Paving
Series "I-J"—26th Paving
Series "M-N"—27th Paving

Such Commission shall determine what, in its judgment, is a fair and reasonable proportion of the assessment previously made by the City of Mobile for the respective property owner to pay and the assessment now outstanding against each piece of property included in the above mentioned ventures shall be reduced accordingly. Nothing herein contained shall be construed in any way to impair the obligation of the contract between the City, the property owners affected by the above mentioned ventures and the holders of bonds issued to pay for the paving and/or repaving, surfacing and/or resurfacing laid in front of the property included in the above mentioned ventures and the bond holders shall have the same rights which they had prior to the passing of this Act and the reduction so made by the Commission of Adjustment shall be effective only as between the property owner and the City of Mobile.

Section 3. Suitable offices and equipment shall be furnished to the Commission of Adjustment by the City of Mobile and any expense in connection therewith shall be paid out of the special fund herein created. The said Commission of Adjustment shall have the right to hold hearings, employ experts and incur such expense as may be necessary.

Section 4. In the event that any owner of property be aggrieved by reason of the assessment as fixed by the Commission of Adjustment, he shall have the right to demand arbitration proceedings and one arbitrator shall be selected by the property owner, one by the Board of Adjustment of the City of Mobile, and a third by these two, and the findings of such arbitrators shall be final.

Section 5. In the event that any property owner has paid all the assessment against any property included in the above mentioned ventures, then he shall be issued by the City of Mobile a Non-Interest Bearing Warrant in an amount equal to the reduction granted to him, such warrant to be payable when the Bonds outstanding in the venture in which his property is included have been fully paid and satisfied. In the event any property owner has paid a portion of the assessment against his property and such portion exceeds the amount of the assessment as fixed by the Commission of Adjustment, he shall be issued by the City of Mobile a Non-Interest Bearing Warrant payable when the Bonds outstanding in the venture in which his property is included have been fully paid

and satisfied. In the event that any property owner has paid a portion of the assessment originally fixed against his property and after the reduction by the Commission of Adjustment there still remains an amount due by the property owner, such amount shall bepayable as hereinafter provided.

Section 6. Any amount assessed against any property abutting on any streets included in any of the above paving ventures, shall be payable in ten equal annual installments and shall bear interest and suffer penalties as provided by law for the original assessment. The First installment shall be due on the first day the said Commission of Adjustment shall sit, and shall be payable immediately on the fixing of the assessment by the Commission of Adjustment and delinquent thirty days thereafter. In the event any assessment as fixed by the Commission of Adjustment be not paid in full in the time herein prescribed, such assessment shall automatically revert to the amount originally fixed by the City of Mobile.

Section 7. In the event that the City of Mobile has advanced any sum or sums from the general funds of said City to pay the interest or principal on the bonds issued to pay for any of the above mentioned ventures, then the City shall reimburse the general fund to such amount, without interest, after the bonds affecting the particular venture for which such money was furnished have been paid in full. The Board of Commissioners of the City of Mobile are hereby authorized, empowered and required to enact any or all ordinance or ordinances necessary to carry out all the provisions contained herein.

Section 8. All funds now or hereafter being collected or received by the City of Mobile as its portion of the license or tag tax peved by the State on automobiles, trucks or motor vehicles of any kind; and all funds now or hereafter being collected or received from the ad valorem tax by the City of Mobile on automobiles, trucks or motor vehicles of any kind; and all funds now or hereafter being collected or received by the City of Mobile from any license or excise tax on the sale of gasoline, or other liquid motor fuels or devices or substitutes therefor shall be kept by the City of Mobile in a separate and special account. All funds hereby obtained, when available, shall be used to carry out the provisions of this Act.

No. 8A. Provided, however that the taking of such funds shall not affect the policemen, firemen, operation of hospital, collection of garbage, and lighting for the city.

Section 9. No amount shall be expended from said special account for any purpose except for payment to the holders of bonds issued to pay for the above mentioned ventures; to property owners or to the City of Mobile as herein directed; and for expenses of the said Commission as herein authorized.

Section 10. Any person violating any of the provisions of the foregoing section shall be guilty of a misdemeanor and upon conviction shall be fined not less than One Hundred, not more than Five Hundred Dollars for each offense.

Section 11. If any Section, clause or provision of this Act be held invalid or unconstitutional by any Court of competent jurisdiction such holding shall not affect any other section, clause, provision or portion of this Act which is not in and of itself unconstitutional. In the event that that portion of this Act making the decision of the arbitrators final be held to be unconstitutional then and in that event the property owner feeling aggrieved shall have the same right of appeal from the assessment fixed by the Commission of Adjustment as he had from the assessment originally fixed by the City of Mobile.

Section 12. That all laws, or part of laws, in conflict with the provisions of this Act are hereby expressly repealed.

Section 13. This Act shall take effect immediately upon its passage.

Mr. Craft offered the following amendment to said substitute to-wit:

To amend Section 5 by adding at the end of the said Section the following, viz:

The Non-Interest Bearing Warrants herein provided to be issued by the City of Mobile shall not constitute such a debt of said City as would be chargeable to its legal debt limit.

Which was adopted.

Mr. Craft also offered the following amendment to said substitute, to-wit:

Amend Section 8 of Substitute for S. B. 266 by adding at the end thereof the following:

Provided, however, that the taking of such funds shall not affect the policemen, firemen, operation of hospital, collection of garbage, and lighting for the city, and any other necessary or proper expenses for the operation of the City of Mobile.

Which was adopted.

And said substitute, as thus amended, was then adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Caffey
Coward
Craft
Darden
Delony

Duncan
Edmundson
Farmer
Fletcher
Garrett
Goodwin
Hildreth
Hooton

Hubbard
Jordan
Kelley
Lapsley
McDowell
Millsap
Mullins

Powell
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

And said bill as thus amended, was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Brown	Edmundson	Jordan	Riddle
Caffey	Farmer	Kelley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Ware:

H. 301. To authorize and provide for the payment of the sum of Five Thousand (\$5,000.00) Dollars to W. J. Adamson, Administrator of the Estate of William E. Adamson, for the relief of the estate of William E. Adamson, deceased, who was killed on the 15th day of October, 1931, as a result of a wreck at a creek near Wadley, Randolph County, Alabama, caused by the failure of the Alabama Highway Department to properly mark the detours at or near said creek.

Also:

By Mr. Tucker:

H. 471. To prohibit fraud and deceit in the sale of liquid motor fuels, lubricating oils, greases or other petroleum products; to require the name of the owner of all pumps, containers or other dispensing equipment used in the retail selling of petroleum products or the brand, trade mark or trade name of said petroleum products to be placed and kept placed on said pumps, containers or other dispensing equipment; to prohibit the erasing, defacement, destruction or removal of the name of the owner of said pumps, containers or other dispensing equipment or the said brand, trade mark or trade name of the petroleum products or any word, figure or symbol placed on said pumps, containers or other dispensing equipment without the consent of said owner; to prohibit the sale, exposing or offering for sale of said petroleum products under any name other than the name or trade name given thereto or designated therefor by the manufacturer thereof, and to prohibit adulteration of said product or the substitution of other products therefor; to prohibit the sale or storage of said petroleum products in equipment other than that indicated by the brand, name, trade mark or trade name placed upon said equipment; to prohibit the delivery of petroleum

products into any containers, tanks or other equipment other than as indicated by the brand, name, trade name or trade mark appearing on such equipment; to prohibit the imitation by any person, with the intent to deceive of the design, symbol, emblem, color scheme or trade name of any other marketer of petroleum products or the markings of any equipment of any such marketer, without the consent of such other marketer; to provide penalties for the violations of the provisions of this Act; To provide rewards for persons furnishing information leading to the arrest and conviction of persons violating any of the provisions of this Act; to repeal all laws or parts of laws inconsistent with the provisions of this Act, and to repeal an act entitled "An Act to prohibit the sale of liquid fuels, lubricating oils, and similar products, under false or fictitious names; the use of containers, tanks, pumps or other distributing equipment, for the storage or sale of fuels, oils, or similar products, other than those indicated by the name, device, sign or distinguishing marks, upon such containers, pumps or distributing equipment; to prohibit adulteration, and fixing penalties." approved July 31, 1931.

Also:

By Mr. Hightower (notice and proof):

H. 650. For the relief of W. T. Scales.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

The following bill will be introduced in the present extraordinary session of the Legislature of Alabama:

A BILL

To be entitled an Act for the relief of W. T. Scales.

Be It Enacted by the Legislature of Alabama:

Sec. 1. That W. T. Scales be and he is hereby relieved from all liability for fees collected by him while acting as Sheriff of Sumter County, Alabama, for services rendered as Sheriff of said County.

Sec. 2. That all laws and parts of laws in conflict with the provisions of this act be and they are hereby repealed.

State of Alabama }
Sumter County }

Before me the undersigned authority in and for said State and County personally appeared W. H. Lawrence, who being by me first duly sworn, deposes and says:

That he is the Editor and Publisher of the Our Southern Home, a newspaper published at Livingston, Sumter County, Alabama during the year 1932 to date.

That the notice hereto attached and marked "Exhibit A" was published in the said the Our Southern Home for 4 consecutive weeks and in the issues bearing date of Sept. 21, 1932, Sept. 28, 1932, Oct. 5, 1932, and Oct. 12, 1932.

W. H. LAWRENCE.

Sworn to and subscribed before me this the 12th day of Oct. 1932.

NAN E. SCALES,

Notary Public.

(Seal)

Also:

By Mr. Hightower (notice and proof):

H. 651. For the relief of E. C. Godfrey.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

The following bill will be introduced in the present extraordinary session of the Legislature of Alabama:

A BILL

To be entitled an Act for the relief of E. C. Godfrey.

Be It Enacted by the Legislature of Alabama:

Sec. 1. That E. C. Godfrey be and he is hereby relieved from all liability for fees collected by him while acting as Sheriff of Sumter County, Alabama, for services rendered as Sheriff of said County up to and until September 1, 1932.

Sec. 2. That all laws and parts of laws in conflict with the provisions of this act be and they are hereby repealed.

State of Alabama }
Sumter County }

Before me the undersigned authority in and for said State and County personally appeared W. H. Lawrence, who being by me first duly sworn, deposes and says:

That he is the Editor and Publisher of the Our Southern Home, a newspaper published at Livingston, Sumter County, Alabama during the year 1932 to date.

That the notice hereto attached and marked "Exhibit A" was published in the said the Our Southern Home for 4 consecutive weeks and in the issues bearing date of Sept. 21, 1932, Sept. 28, 1932, Oct. 5, 1932 and Oct. 12, 1932.

W. H. LAWRENCE.

Sworn to and subscribed before me this the 12th day of Oct. 1932.

NAN E. SCALES,
Notary Public.

(Seal)

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

H. 301, to the Committee on Finance and Taxation.

H. 471, to the Committee on Judiciary.

House Bills 650 and 651, to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:
By Mr. Glover of Elmore:

H. 93. To provide for the giving up by the State of Alabama and its officials of all its possession, claim, right and interest in and

to the following described real estate located in Elmore County, Alabama, to-wit: "That part of sub-division D lying North of the Section line between Section thirty-four (34), Township Eighteen (18), Range Eighteen (18), and Section Three (3), Township Seventeen (17), Range Eighteen (18), being situated in Section thirty-four (34), Township Eighteen (18), Range Eighteen (18), lying South of the main stream of the Tallapoosa River and being surrounded by the so called Dead River, being the former stream of the Tallapoosa River and containing 27 acres, more or less, according to the map made by Mr. C. A. Pickett, County Surveyor of Montgomery County, May, 1930" to Mrs. C. E. Gaddis, Wetumpka, Elmore County, Alabama.

Also:

By Mr. Glover of Elmore:

H. 97. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of \$140.00 for the relief of Thornhill Hardware Company, a partnership, composed of Sam H. Thornhill, Garie L. Thornhill and C. E. Weldon, on account of an error being made by said Thornhill Hardware Company in placing a bid with the State Board of Administration of Alabama to furnish said Board of Administration with one ton of dynamite, said bid being for the sum of \$170.00 and the ton of dynamite being delivered during the month of August, 1930 to said Board at and for the sum of \$170.00 when in fact it was intended that said bid be for \$340.00; the \$140.00 provided herein for the relief of said Thornhill Hardware Company will cause said company to receive the same as the lowest bid offered said Board of Administration for the delivery of said ton of dynamite.

Also:

By Mr. Parker:

H. 667. To authorize and empower the Courts of County Commissioners in all counties of Alabama which now have or may hereafter have a population of less than eighteen thousand, according to the last or any subsequent Federal Census, to transfer any Road and Bridge Funds that were levied and collected within the County or any Fine and Forfeiture Funds of the County at any meeting of said Court in any calendar year to the General Fund of the County and to ratify like transfers heretofore made and to repeal all laws and parts of laws in conflict with this Act.

Also:

By Mr. Parker:

H. 668. To authorize and empower the Courts of County Commissioners in all Counties of Alabama which now have or may hereafter have a population of less than eighteen thousand according to the last or any subsequent Federal Census to use twenty per cent of the funds derived from the excise tax on gasoline or other liquid motor fuels, levied under the Act of the Legislature of Ala-

bama, approved February 10, 1923, entitled, "An Act imposing an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act," which is to be paid to said counties under the provisions of Sec. 83 of the Act of the Legislature of Alabama, approved August 22, 1923, entitled, "An Act in reference to, and to further provide for, the general revenue of the State of Alabama," for the purpose of paying the past due and future salaries of school teachers for teaching school in class room work in the respective counties, and to repeal all laws and parts of laws in conflict with this Act.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate standing committees as follows:

H. 93, to the Committee on Judiciary.

H. 97, to the Committee on Finance and Taxation.

House Bills 667 and 668 to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House has named as Committee on part of the House, under the resolution:

S. J. R. 78. Relative to resuming athletic relations between the University of Alabama and the Alabama Polytechnic Institute.

Messrs. Green, Culver and Mize.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 22. For the relief of the National Life and Accident Insurance Company, Inc., a corporation, and for the appropriation to it of Five Thousand Seven Hundred Sixteen Dollars and Twenty-two Cents (\$5,716.22), excess taxes collected from it by the Insurance Department.

Also:

S. 136. To relieve Tax Assessors in all counties in Alabama which now have, or which may hereafter have a population of not

less than Fifty Five Thousand and not more than Sixty Four Thousand Two Hundred according to the last Federal Census, or any such census which may be taken hereafter, from the duty of preparing a book of assessments, and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as a permanent record and prepare tax collectors abstracts from said assessment lists.

Also:

S. 144. To amend Section Three (3) of an Act, Entitled An Act to provide for the election of a County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education, of Coosa County, Alabama; to provide for the election of his successor in office and to provide for his removal by the County Board of Education for good cause, approved August 9th, 1927, Local Acts of Alabama, page 127, 1927.

Also:

S. 148. To amend Section 370 of the Code of Alabama.

Also:

S. 184. To abolish the office of County Solicitor of Coosa County, Alabama, and to create in lieu thereof the office of County Attorney; to define the qualifications and duties of County Attorney of Coosa County, Alabama; to provide for his election or appointment; to provide for the salary of the County Attorney and the manner of paying the same; to prescribe his term of office and for his removal from office and for the filling of the vacancy in said office.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

RECESS

At 12:55 P. M., on motion of Mr. Hooton, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION—TWENTY-SEVENTH DAY

October 27th, 1932.

The Senate re-assembled at 2:30 o'clock P. M., Lieutenant-Governor Merrill presiding.

ROLL CALL

President:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth	Mullins	

—35

REPORTS OF COMMITTEES

Mr. Darden, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Allen:

H. 345. To provide that where an adjoining city has been annexed by vote of the people or otherwise to any class "D" city as defined in an act of the Legislature approved March 6, 1931, and published in General Acts of Alabama, 1931, on Page 174 et seq, that a commissioner for the consolidated city be elected by the qualified electors residing within the former corporate limits of such annexed city; to fix the time for such election and the manner of holding the same; and to further provide that such commissioner so elected shall hold office until the first Tuesday in October, 1934, and that no successor shall be elected to succeed such commissioner; and to provide that this Act shall not be in force after the first Tuesday in October, 1934; and to fix the duties, powers and compensation of such commissioner so elected.

Mr. McDaniel, Chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Sossaman:

H. 44. To repeal an Act of the Legislature of Alabama approved July 10th, 1931 entitled "An Act to provide that unless otherwise stated in the Act or Resolution calling such election,

whenever any special election is ordered by the Legislature upon any proposed amendment or amendments to the Constitution of the State affecting only one municipality in this State, then if such municipality has as much or more than 68,000 and under 200,000 inhabitants according to the last or any subsequent Federal Census, and if no amendment or amendments other than those affecting said municipality are submitted to the voters of the State at said election, the expense of holding such election, including the cost of publication, shall be paid by the municipality so affected."

Mr. Darden, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sossaman (with amendment):

H. 35. To amend an act of the Legislature approved September 26, 1923 entitled "An Act to fix the compensation of members of the Courts of County Commissioners, Boards of Revenue, or other courts of like jurisdiction in this State, in counties which now have, or which may hereafter have, a population of ninety-six thousand and not exceeding one hundred fifty thousand people, according to the last federal census or any such census, which may hereafter be taken, for services actually performed by said officers, as members of the Boards of Revenue of said Counties, and to provide for the payment of such compensation," so as to have said Act affect counties which now or may have hereafter a population of not less than 96,000 and not exceeding 115,000 according to the last or any succeeding Federal Census.

By Mr. Sossaman (with amendment):

H. 196. To amend Section 1 of an Act of the Legislature of Alabama approved, September 27, 1923, entitled "An Act to provide that in all cities in Alabama having a population of not less than 60,000 and not more than 150,000 according to the last Federal census, which have adopted or may hereafter adopt the general commission form of government, the Board of Road and Revenue Commissioners, or other governing body of the respective counties may pay to the Recorder for ex-officio services rendered by him in the trial of cases in Recorder's Court wherein there is charged a violation of the laws of the State of Alabama, a sum not exceeding \$900.00 per annum payable in twelve equal monthly installments out of the County Treasury," so as to reduce the maximum population of said class of cities to 68,000 people.

Mr. Walker, chairman of the Standing Committee on Agriculture, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Poole:

H. 6. To amend Article 17 of the Agricultural Code of Alabama.

By Mr. Cook:

H. 637. To make it unlawful for any person to receive or buy seed cotton at any time from any person except from the owner of the land on which grown, or his lawful agent, or except from a person, presenting a written permit to make such sale from the owner of the land on which grown or his lawful agent, and to provide penalties therefor.

RESOLUTION

The Rules Committee reported the following Senate Resolution:

S. R. 91. Whereas the House of Representatives has passed an Act, being H. 392, an exact copy of which is hereto attached, and the same has been sent to the Senate for its action, and

Whereas, the Senate has before it for consideration S. 279, an exact copy of which is hereto attached, and

Whereas, it appears to members of the Senate that there is doubt of the Constitutionality of said proposed Acts;

Therefore, be it resolved by the Senate of Alabama; That the Justices of the Supreme Court be and they are hereby requested, as provided by Section 10290 of the Code of Alabama, to render an opinion to the Senate as to whether the said Acts offend Section 213 of the Constitution of Alabama, or any other Section of the Constitution.

Mr. Lapsley offered the following amendment to said resolution to-wit:

Amend said resolution by adding after the first paragraph of said resolution the following namely:

"Whereas the House of Representatives has passed An Act, being H. 655, and the same has been sent to the Senate for its Action, and"

On the motion of Mr. McDaniel, said amendment was laid on the table.

Yeas 21; nays, 7.

Yeas:

Messrs.:

Bartlett
Beasley
Caifey
Cooper
Craft
Darden

Duncan
Edmundson
Farmer
Faulk
Fletcher

Garrett
McDaniel
McDowell
Millsap
Powell

Riddle
Shepherd
Teasley
Walker
Wikle

—21

Nays:

Messrs.:

Bonner
Delony

Goodwin
Hildreth

Hubbard
Jordan

Lapsley

— 7

Mr. Lapsley then offered the following substitute for said resolution to-wit:

SUBSTITUTE FOR SENATE RESOLUTION NO. 91

Be it resolved by the Senate of Alabama as follows:

That the Justices of the Supreme Court of Alabama be and they are hereby requested to render a written opinion upon the following important constitutional questions involved in H. 392 and S. 279, now pending before the Senate of Alabama, namely:

(1) Are the provisions or any of the provisions of said bills contrary to the provisions or any provision of Section 213 of the Constitution of Alabama of 1901?

(2) Are any of the provisions of said bills in conflict with or violative of any provision of the Constitution of Alabama of 1901?

(3) In what respect or particular, if any, do said bills or any provision thereof violate or conflict with any provision of the Constitution of Alabama of 1901?

(4) May the Legislature legally appropriate funds for the payment of any warrant or warrants outstanding and unpaid on October 1, 1932, which were issued at a time when the current deficit in the State Treasury was in excess of the sum of Three Hundred thousand Dollars?

(5) May the Legislature of Alabama legally appropriate funds for the payment of interest upon warrants which were outstanding and unpaid on October 1, 1932, until the payment of the principal amount of such warrants?

Be it further resolved by the Senate that the Secretary of the Senate submit this resolution or a certified copy thereof to the Justices of the Supreme Court, together with a certified copy of said bills hereinabove mentioned.

Mr. Bonner moved that both the original and substitute be laid on the table, which motion was lost.

Yeas, 11; nays, 19.

Yeas:

Messrs.:
Bonner
Cooper
Darden

Delony
Duncan
Goodwin

Hildreth
Hooton
Hubbard

Jordan
Lapsley

—11

Nays:

Messrs.:
Bartlett
Beasley
Caffey
Coward
Craft

Edmundson
Farmer
Faulk
Fletcher
Garrett

McDaniel
McDowell
Millsap
Powell
Riddle

Shepherd
Teasley
Walker
Wikle

—19

Mr. McDaniel then moved that the substitute offered by Mr. Lapsley be laid on the table, which motion prevailed and the substitute was tabled.

The question recurred on the adoption of the original resolution, and the resolution was adopted.

BILL INDEFINITELY POSTPONED

The bill:

S. 50. To provide for a more efficient system of administration of the State Government by perfecting a coordination between the several executive departments; and for that purpose and to that end there is hereby created and established a State Executive Commission to be composed of five members, together with the Governor who shall be ex-officio chairman of said Commission, and a secretary of said Commission; to provide for the appointment of members of said commission, and secretary of said commission, and filling vacancies on same; to fix the term of office, salaries and define the duties of said commission, and secretary of said commission; to prescribe rules and regulations governing said commission; to vest in said commission all of the power and authority now vested by law in the State Highway Commission, the State Tax Commission, the State Board of Administration and State Budget Commission, to provide for officers of the Alabama State Bridge Commission; to abolish the State Highway Commission, the State Tax Commission, the State Board of Administration and State Budget Commission.

Was taken up.

Mr. Powell moved that said bill be indefinitely postponed.

Mr. Teasley moved to lay said motion on the table, which motion was lost.

Yeas, 12; nays, 19.

Yeas:

Messrs.:

Bonner
Craft
Delony

Edmundson
Fletcher
Hildreth

Jordan
McDowell
Shepherd

Teasley
Walker
Warren

—12

Nays:

Messrs.:

Bartlett
Beasley
Brown
Caffey
Cooper

Cowart
Darden
Duncan
Farmer
Faulk

Garrett
Goodwin
Hooton
Hubbard
Lapsley

McDaniel
Millsap
Powell
Wikle

—19

And the motion to indefinitely postpone said bill then prevailed, and said bill was indefinitely postponed.

Yeas, 19; nays, 12.

Yeas:

Messrs.:

Bartlett
Beasley
Brown

Caffey
Cooper
Cowart

Darden
Duncan
Farmer

Faulk
Garrett
Goodwin

Hooton	Lapsley	Millsap	Wikle	
Hubbard	McDaniel	Powell		—19
<i>Nays:</i>				
<i>Messrs.:</i>				
Bonner	Edmundson	Jordan	Teasley	
Craft	Fletcher	McDowell	Walker	
Delony	Hildreth	Shepherd	Warren	—12

On motion of Mr. Walker, the Senate indefinitely postponed further consideration of the following bills:

S. 254. To amend Section 5392 of the 1923 Code of Alabama.

Also:

S. 255. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation of said Commission, in the public interest, of transportation companies as defined by Section 9709 of the Code of Alabama of 1923, and to provide for the assessment, collection and payment of supervision and inspection fees by such transportation companies.

Also:

S. 256. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of public utilities, and of their relations and contracts with holding companies and affiliated interest; and so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and charges; facilities and plants; franchises, licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities, and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the Commission or with the provisions of this Act; and as a part hereof, to amend sections 9750 and 9753 of the Code of Alabama of 1923.

BILLS ON THIRD READING

The bill:

S. 261. To amend Section 21 of an Act entitled an Act "To provide for the establishment of a base of operations and training for the air service of the Alabama National Guard, including the provision of land for such base and the improvement of such land with buildings, structures and otherwise, and including also the equipping of such buildings and structures; to create a Commission for the accomplishment of the aforesated purpose; to define and prescribe the duties, powers, privileges, immunities and responsibilities

of such Commission; and to make an appropriation for the effectuation of the purposes of this Act, approved, July 2, 1931.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Shepherd
Brown	Farmer	McDaniel	Teasley
Craft	Garrett	McDowell	Warren
Darden	Goodwin	Powell	Wikle
Delony	Hooton		

—18

The bill:

S. 264. To amend the title of an Act approved July 27, 1931, and entitled "An Act to impose for the use and purpose of supervising, preserving, maintaining, constructing and regulating the use of public roads and bridges in the State of Alabama, and to maintain and supervise State Convicts while working upon such roads and bridges, an excise tax on all persons, companies, agencies, corporations and associations who sell, distribute, store or draw from storage for any purpose whatsoever, gasoline or any other liquid motor fuels or devices, or any substitutes therefor within the State of Alabama; providing for the collection of such excise tax, and the payment of same into the State Treasury to the credit of the State Highway Department for the public road and bridge fund; providing for the enforcement of this Act and fixing a penalty for the violation of the provisions hereof; providing that the said excise tax so imposed shall be in addition to all other excise tax now imposed by law; and providing that freight agents of railroads, and all agents of all transportation companies operating within the State of Alabama, and who transport motor fuels, shall report to the State Tax Commission all shipments of gasoline, or any substitutes therefor; received at any of their stations within the State".

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 17; nays, 1.

Yeas:

Messrs.:

Bartlett	Garrett	Hubbard	Shepherd
Craft	Goodwin	McDaniel	Teasley
Darden	Hildreth	McDowell	Warren
Delony	Hooton	Powell	Wikle
Duncan			

—17

Nay: Mr. Lapsley.

— 1

The bill:

S. 244. To amend Sections 312 and 324 of the Code of Alabama, 1923, relating to county depositories in lieu of county treasurers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 19; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Shepherd
Cowart	Garrett	Lapsley	Teasley
Craft	Goodwin	McDaniel	Walker
Darden	Hildreth	McDowell	Wikle
Delony	Hooton	Powell	

—19

The bill:

S. 217. To authorize and provide for the payment of a sum not to exceed Six Hundred Dollars for the relief of Mims Russell, as administrator of the Estate of Lewis Bennett deceased, formerly of Safford, Dallas County, Alabama, who was killed during the month of November, 1930 as a result of being run over or against by a State Highway Department truck, the property of the State of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 26; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Goodwin	Powell
Beasley	Delony	Hildreth	Scruggs
Bonner	Duncan	Hooton	Shepherd
Brown	Farmer	Hubbard	Walker
Cooper	Faulk	Lapsley	Warren
Cowart	Fletcher	Millsap	Wikle
Craft	Garrett		

—26

The bill:

S. 258. To fix and impose upon dealers engaged in selling malt or non-intoxicating malt extract in all counties having a population of less than 100,000 nor more than 350,000 inhabitants, according to the last or any subsequent Federal Census, a license tax of thirty per cent of the sales price thereof, and to require all such dealers to file monthly sworn reports of the amount of their sales with the Board of Revenue and Road Commissioners or other governing body of such counties, to prohibit the engaging in business in such counties by such dealers without the payment of such license; to fix and prescribe fines and penalties for doing business as such dealers without the payment of such license or for failure to make and file such reports; to provide for the collection of such license taxes, and to designate to what purpose the net proceeds of all such license taxes shall be devoted.

Was taken up.

Mr. Craft offered the following amendment to said bill to-wit:
Amend S. 258 as follows:

1. Amend the caption of said bill by inserting the word "not" between the words "of" and "less" in the third line thereof.

2. Amend the caption of said bill by striking out the figures "100,000 in line three, and substitute in lieu thereof "110,000", and also by striking out the figure "350,000" in line three of said caption, and substitute in lieu thereof "225,000".

3. Amend Sections 1 and 2 of said bill by striking out the figures "350,000" wherever same occur in said Sections and substituting in lieu thereof in each place the following, "225,000".

Which was adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Mullins
Beasley	Duncan	Hubbard	Powell
Brown	Edmundson	Jordan	Riddle
Caffey	Farmer	Kelley	Shepherd
Cooper	Fletcher	Lapsley	Teasley
Cowart	Garrett	McDaniel	Walker
Craft	Goodwin	McDowell	Wikle
Darden	Hildreth		

—30

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Jordan	Powell
Beasley	Edmundson	Kelley	Riddle
Brown	Farmer	Lapsley	Scruggs
Caffey	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

The bill:

S. 245. For the relief of S. P. Lorren for damages sustained by him to his automobile on or about June 1st, 1931, and for medical and hospital bills paid out by the said S. P. Lorren on or about said date treating the wounds and injuries for Earl Porter and Harvey Warmack as a result of the negligence of the Highway Department Crew working on the Highway between Edwardsville and Fruithurst in Cleburne County, Alabama, and to make an appropriation to pay the same out of any funds in the State Treasury not otherwise appropriated.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Garrett	Jordan
Beasley	Duncan	Goodwin	McDowell
Brown	Edmundson	Hildreth	Scruggs
Cowart	Farmer	Hooton	Shepherd
Craft	Faulk	Hubbard	Teasley
Darden			

—21

The bill:

S. 270. To amend Section 1 of an Act entitled 'An Act to amend Section 2011 of the Code of Alabama of 1923, approved August 31, 1927.'

Was taken up.

The Committee on Finance and Taxation reported the following amendment to said bill, to-wit:

Amend Section 1 of S. 270 by striking out the words "Fifteen Hundred" where they appear in said section, and insert in lieu thereof the words "One Thousand."

On motion of Mr. Garrett said amendment was laid upon the table.

Mr. Garrett offered the following amendment to said bill to-wit:

Amend S. 270 by striking therefrom in Section 1, line three the following words:

"of more than fifteen hundred inhabitants" also by adding the word "incorporated" after the word **any** and before the word **"City"** in line two of Section 1.

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Goodwin	Millsap
Beasley	Craft	Hildreth	Riddle
Bonner	Darden	Hooton	Shepherd
Brown	Duncan	Hubbard	Teasley
Caffey	Farmer	Jordan	Warren
Cooper	Garrett	Lapsley	Wikle

—24

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 24; nays, 1.

Yeas:

Messrs.:

Bartlett	Cowart	Garrett	Lapsley
Beasley	Craft	Goodwin	McDowell
Bonner	Darden	Hildreth	Millsap
Brown	De'ony	Hooton	Shepherd
Caffey	Duncan	Hubbard	Teasley
Cooper	Farmer	Jordan	Warren

—24

Nay: Mr. Faulk.

— 1

The bill:

S. 272. In relation to the Educational System of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness incurred for capital outlays for institutions under the general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute. The University of Alabama and the Alabama College.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for said bill to-wit:

Substitute S. 272:

A BILL

To be entitled an Act in relation to the educational system of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness incurred for capital outlays for institutions under the general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute, the University of Alabama and the Alabama College.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated out of the State Treasury to the State Board of Education, for the purpose of paying the balance due on appropriations as follows: (1) For the State Normal School, located at Troy, the sum of \$75,000.00. (2) For the State Normal School located at Florence, the sum of \$100,000.00. (3) For the State Normal School, located at Jacksonville, the sum of \$100,000.00. (4) For the State Normal School, located at Livingston, the sum of \$50,000.00. (5) For the State Normal School located at Montgomery, the sum of \$37,500.00. (6) For the Agricultural and Mechanical Institute for Negroes located at Normal, the sum of \$50,000.00. (7) For the State Normal School located at Daphne, \$180,000.00. (8) For the Alabama School of Trade and Industry, located at Gadsden, \$100,000.00.

Section 2. That there is hereby appropriated out of the Treasury of the State for the purpose of paying the balance due on appropriations for additions to grounds, buildings and equipment and for the payment of outstanding indebtedness incurred for capital outlays as follows: (1) To the Alabama College, the sum of \$200,000.00. (2) To the Alabama Polytechnic Institute the sum of \$250,000.00. (3) To the University of Alabama, the sum of \$250,000.00.

Section 3. There is hereby appropriated out of the State Treasury to the Board of Education for the purpose of paying the balance due for outstanding indebtedness incurred for capital outlays, as follows:

(1) For the State Normal School located at Troy, the sum of \$104,783.02.

(2) For the State Normal School located at Florence, the sum of \$287,805.16.

(3) For the State Normal School located at Jacksonville, the sum of \$232,869.31.

(4) For the State Normal School located at Livingston, the sum of \$95,625.00.

(5) For the State Normal School located at Montgomery, the sum of \$152,413.59.

(6) For the Agricultural and Mechanical Institute for negroes, located at Normal, the sum of \$55,733.62.

Section 4. The appropriations made in the three preceeding sections shall not lapse, but shall remain in full force and effect until paid, but shall be paid as hereinafter provided.

Section 5. All appropriations made under this Act shall be payable out of the proceeds of bonds in the event that the Bond Amendment to the Constitution, known as article 23, is ratified by the people on November 8, 1932.

In the event that said Bond Amendment is not ratified by the people, all of said appropriations shall be paid out of the surplus remaining in the Special Educational Trust Fund, after other appropriations made from said fund are paid, provided that the sum appropriated under this Act shall be payable in whole or in part from time to time as funds are available, and when paid, shall be pro rated among the several purposes or institutions, payable to each purpose or institution for which appropriation is made in said Act in proportion to the amount appropriated to each such purpose or Institution in said Act. And Provided further that all or any part of the appropriations made in this Act which remain unpaid at the end of the period for which they are made shall be and are hereby continued in full force and effect until paid in full in the manner provided in this Act.

Section 6. That the appropriations made in Section 1, and 2 of this Act shall be paid in full before any funds shall be available to pay the appropriations under Section 3 of this Act.

Section 7. That the appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of the Budget and Financial Control Act.

Section 8. That all laws and parts of laws, general, special or private, in conflict with the terms and provisions of this Act, be and the same are hereby repealed.

Which was adopted.

Yeas, 21; nays, 7.

Yeas:

Messrs.:

Beasley
Bonner

Brown
Caffey

Craft
Darden

Delony
Edmundson

Fletcher
Garrett
Hooton
Hubbard

Jordan
Lapsley
Millsap

Powell
Shepherd
Teasley

Walker
Warren
Wikle

—21

Nays:
Messrs.:
Bartlett
Cooper

Duncan
Farmer

Faulk
Hildreth

McDowell

— 7

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 21; nays, 8.

Yeas:
Messrs.:
Beasley
Bonner
Caffey
Darden
Delony
Edmundson

Fletcher
Garrett
Goodwin
Hooton
Hubbard

Jordan
Lapsley
Millsap
Powell
Riddle

Shepherd
Teasley
Walker
Warren
Wikle

—21

Nays:
Messrs.:
Bartlett
Cooper

Cowart
Duncan

Farmer
Faulk

Hildreth
McDowell

— 8

REPORT OF CONFERENCE COMMITTEE

To—
SPEAKER OF HOUSE,
PRESIDING OFFICER OF SENATE.

We, your Committee of Conference, having under consideration S. 25, beg leave to report as follows:

1st. We recommend, that the House recede from all of its amendments to said bill, except the amendment offered in the House by Mr. Key, which said amendment is as follows:

Amend the substitute for Senate Bill 25 by adding, at the end of the third paragraph of Section 1 the following:

"Provided however, that if any salary has, since January 1, 1931, been reduced to a greater extent than the above provisions would reduce it, the reduction already made shall remain in effect, and such salary shall not be increased by the provisions of this Act".

2nd. We recommend, that the Senate concur in the amendment to said Bill.

Respectfully submitted,
CHAS. B. TEASLEY,
G. J. HUBBARD,
J. M. BONNER,
Committee on Part of Senate.

W. C. HARRISON,
CHAS. O. STOKES,
JNO. P. HAMPTON,
Committee on Part of House.

CONFERENCE REPORT

On motion of Mr. Bonner, the Senate concurred in and adopted the foregoing report of the Committee on Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 25. Relating to the salary or compensation of officers or employees of the State, or of any department thereof whose compensation is paid out of State Treasury.

Yeas, 31; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Shepherd
Brown	Farmer	Jordan	Teasley
Caffey	Faulk	Lapsley	Walker
Cooper	Fletcher	McDaniel	Warren
Craft	Garrett	McDowell	Wikle
Darden	Goodwin	Millsap	

—31

And said bill, as thus amended, by the report of the Conference Committee, was again read a third time at length and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Shepherd
Brown	Farmer	Jordan	Teasley
Caffey	Faulk	Lapsley	Walker
Cooper	Fletcher	McDaniel	Warren
Craft	Garrett	McDowell	Wikle
Darden	Goodwin	Millsap	

—31

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Glover (of Elmore):

H. 92. To appropriate the sum of \$160.00 to be paid to S. B. Reneau of Elmore County, Alabama as compensation for damages sustained by him on the 11th day of November, 1927.

Also:

By Mr. Robinson:

H. 203. To provide for and regulate the mode of selecting and impanelling juries in all criminal and quasi-criminal cases in circuit courts in counties having a population of 300,000 or more according to the last or any future Federal Census.

Also:

By Mr. Robinson:

H. 204. To further regulate the selection of juries in civil and

criminal cases in all counties in this State having a population of three hundred thousand or more inhabitants according to the last or any succeeding Federal Census.

Also:

By Mr. Lee (of Coffee):

H. 256. To provide for the relief of Mrs. Pauline Fralish, the widow of Ewell Fralish, deceased, and for the dependent minor child of the said Ewell Fralish, deceased.

Also:

By Mr. Kelly (of Conecuh):

H. 257. To amend Section 188 of the Alabama School Code of 1927.

Also:

By Mr. Glover (of Henry):

H. 263. To provide for the relief of Mrs. Ida V. Davis, the widow of T. J. Davis, deceased, and for the dependent minor children of the said T. J. Davis, deceased.

Also:

By Mr. Granade:

H. 383. It is further provided that any person, firm or corporation who shall transport fresh salt water shrimp by water, taken in the waters of Alabama to a point outside the boundary lines of the State of Alabama, without first having paid the tax as provided for by this Act shall be guilty of a misdemeanor and a penalty be fixed therefor.

Also:

By Mr. Yerby:

H. 485. To authorize and provide for the payment of the sum of \$2,000.00 for the relief of Mrs. Willie W. Edge of Blacksburg, Virginia, who sustained personal injuries while riding in an automobile on May 16th, 1931, as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama.

Also:

By Mr. Yerby:

H. 486. To authorize and provide for the payment of the sum of \$1,000.00 for the relief of Harvey A. Edge of Blacksburg, Virginia, whose automobile was damaged on May 16th, 1931 as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama; and who paid out for the treatment and care of his wife, who was injured as a result of said collision between said trailer and the car in which he and his wife were riding, a large sum of money to doctors, hospitals, nurses, and for drugs, board and other expenses.

Also:

By Mr. Granade:

H. 492. To amend an Act entitled "An Act to amend Section 4195 (6964) of the 1923 Code of Alabama".

Also:

By Mr. Granade:

H. 493. To repeal an Act of the Legislature of Alabama approved February 17th, 1927 entitled "An Act to further provide for the compensation of official court reporters in all judicial circuits of the State of Alabama which now or hereafter may be composed of only one county having more than two and less than nine circuit judges."

Also:

By Mr. Granade:

H. 494. To repeal an Act of the Legislature of Alabama approved September 29th, 1923 entitled "An Act to amend an Act, approved October 1st, 1920, entitled 'An Act to amend Section 9 of an Act entitled an Act 'to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties, and provide for special reporters in certain cases; approved September 25, 1915'".

Also:

By Mr. Kelly (of Talladega):

H. 525. To authorize game farming to include game birds, animals and fur bearers for propagation purposes in the State of Alabama, to provide for the issuance of permits to accredited individuals, associations, partnerships, firms and corporations, to provide that the Commissioner of Game and Fisheries shall make regulations governing the issuance of said permits and the conduct of game farms, to provide for the cancellation of permit when terms upon which it is issued are violated, and to provide for penalties for violation of this Act, etc.

Also:

By Mr. McGraw:

H. 577. To provide for the relief of W. H. Pope and to make appropriation therefor.

Also:

By Mr. Morrow:

H. 598. To further regulate the arrest, confinement and care of insane persons in all counties of the State having a population of 300,000 or more according to the last or any subsequent Federal Census, and to further define the duties of such counties and their officers with respect thereto.

Also:

By Mr. Morrow:

H. 643. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue or other governing body of counties having a population of more than two hundred thousand (200,000),

according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid," approved September 2, 1927.

Also:

By Mr. Robinson:

H. 644. To further regulate the bailiffs in the circuit courts in all the counties in the State of Alabama, having a population of two hundred thousand (200,000) or more, according to the last or any subsequent Federal Census; to fix a minimum number of bailiffs for all of such courts, to provide for the appointment of the bailiffs in such courts, and to provide a method of fixing the number and compensation of such bailiffs and to provide for the payment of such compensation.

Also:

By Mr. West:

H. 645. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, Two hundred thousand (200,000) population or more according to the last or any subsequent federal census, and to provide for the payment of such supplemental salaries.

Also:

By Mr. West:

H. 647. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, two hundred thousand (200,000) population or more according to the last or any subsequent Federal Census, and to provide for the payment of such supplemental salaries.

Also:

By Mr. Morrow:

H. 654. To fix the salaries of Judges of Inferior Courts, having criminal jurisdiction only, in all counties of the State of Alabama which now have or may hereafter have more than three hundred thousand population according to the last or any subsequent Federal Census.

Also:

By Mr. Sossaman:

H. 658. "To amend Section Three of an Act of the Legislature of Alabama passed over the Governor's veto June 16th, 1931, entitled "An Act to provide for a Deputy County Treasurer in each County of the State, having a population of not less than one hundred thousand and not more than three hundred thousand inhabitants, according to the last, or to any succeeding Federal census; and to provide the qualifications, appointment, term, duties, bond, and compensation of such Deputy County Treasurers", so as to re-

duce the compensation of such Deputy County Treasurers to \$1500.00 per annum.

Also:

By Mr. Morrow:

H. 664. To amend Section 2 of an Act entitled, "An Act to provide for the more efficient handling of Juries in Circuit Courts of all counties of the State of Alabama having a population of two hundred thousand or more according to the last or any subsequent Federal Census, and to provide for the appointment of a jury bailiff and clerk of the circuit court of every such county, to designate his duties and fix his compensation, and to provide for the payment of such compensation," approved September 27, 1923.

Also:

By Mr. Granade:

H. 682. To authorize the State Docks Commission in its discretion to pay out of its operating capital any claim for compensation or damage for injuries or death and to declare such claims to be in the nature of operating expenses.

Also:

By Mr. Bradford of Jefferson:

H. 684. To amend Sections 3, 6 and 7 of an Act entitled, "An Act to provide in all Counties in this State having a population of three hundred thousand, (300,000) inhabitants or more, according to the last or any subsequent Federal census for an action of ejectment to recover possession of real property, and regulate the proceedings in such action by a purchaser of real property at mortgage foreclosure sale, or by one claiming under such purchaser," approved June 29, 1931.

Also:

By Mr. Glover of Elmore:

H. 95. For the relief of J. D. Richardson and to appropriate for the said J. D. Richardson the sum of \$1250.00, by reason of personal injuries and the permanent loss of the use of an arm sustained by him when eleven prisoners confined in the penitentiary at Speigner, Alabama, made a desperate effort to escape and two of them did escape on March 21, 1930, shooting their way to liberty and injuring the said J. D. Richardson, by shooting him, the said J. D. Richardson being then and there a guard at said penitentiary and an employee of the Board of Administration of Alabama.

Also:

By Mr. Glover of Elmore:

H. 302. For the relief of S. L. Hawk and to appropriate for the relief of the said S. L. Hawk the sum of \$1500.00, by reason of personal injuries and the permanent loss of the full use of his left leg sustained by him when a truck belonging to the State of Alabama and on which the said Hawk was riding turned upon its side at or near what was known as Camp B, Lineville, Clay County, Alabama

on or about December 17, 1929, the said S. L. Hawk being then and there an employee of the State of Alabama as Wheeler Foreman and Convict Guard and acting within the line and scope of his duties as such employee.

Also:

By Mr. Glover of Elmore:

H. 342. For the relief of W. N. Nixon and to appropriate for the relief of the said W. N. Nixon the sum of \$200.00, by reason of personal injuries and the permanent loss of the full use of his left leg and the knee of his right leg sustained by him when he fell from near the top of the stairs of an unfinished shack on which he was a convict guard at the State Penitentiary at Spigener, Alabama in August, 1930, the said W. N. Nixon being then and there an employee of the State of Alabama as convict guard at the Cotton Mill, State Penitentiary, Spigener, Alabama and acting within the line and scope of his duties as such employee and said stairs had no banister or hand-railing to aid a person to ascend or descend same and said Nixon received such injuries without any fault or negligence on his part whatsoever.

Also:

By Mr. Goodwyn:

H. 384. To appropriate the sum of Twenty-five Hundred Dollars for the relief of Mrs. Myrtle Downey.

Also:

By Mr. Sossaman (by request):

H. 441. To provide for the relief of Tom Bright, and to make appropriation therefor and to provide a commission to ascertain the amount of said relief.

Also:

By Mr. Shepherd (notice and proof):

H. 606. To repeal an Act entitled "An Act to regulate the business of money brokers or persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security in Jefferson, Morgan, Walker, and Etowah counties; approve March 9, 1901" so far as the Act applies to Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced for passage at the extra session of the Legislature which shall be substantially as follows:

A BILL

To be entitled an Act to repeal an Act entitled "An Act to regulate the business of money brokers or persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security in Jefferson, Morgan, Walker and Etowah counties; ap-

proved March 9, 1901" so far as the said Act applies to Etowah and Walker counties.

Be it Enacted by the Legislature of Alabama:

Section 1. That an Act entitled: "An Act to regulate the business of money brokers and persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security in Jefferson, Morgan, Walker and Etowah counties; approved March 9, 1901" be and the same is hereby expressly repealed so far as it applies to Walker and Etowah counties.

The State of Alabama }
Walker County }

Before me, the undersigned authority in and for said State and County, this day personally appeared Irving A. Dove, Publisher of The Jasper Advertiser, a newspaper published at Jasper, Walker County, Alabama, who, being duly sworn, says that the Legal Notice, copy of which is hereto attached was published in the said Jasper Advertiser once a week for 4 consecutive weeks namely Sept. 14, 21, 28 and Oct. 5.

IRVING A. DOVE,
Publisher.

Sworn and subscribed to before me, this 5 day of October, 1932.

(Seal)

FRANCES W. ATKINS,
Notary Public.

Also:

By Mr. Morrow (with notice and proof):

H. 614. To provide that there shall be one clerk for both divisions of the Municipal Court of Birmingham, and such number of deputy or assistant clerks as may be necessary; to define the duties, prescribe the method for the appointment and provide for the fixing and payment of the compensation of such clerk and such deputy or assistant clerks.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom It May Concern:

Take notice that during the special session of the Legislature of Alabama, called to be held at Montgomery, Alabama, commencing on August 16, 1932, a bill will be introduced and its enactment applied for, which said bill will be in substance as follows:

To provide that there shall be one Clerk for both divisions of the Municipal Court of Birmingham, and such number of deputy or assistant clerks as may be necessary; define the duties of said Clerk and deputy or assistant clerks; prescribe the method for their appointment and removal; and provide for fixing and payment of their compensation.

State of Alabama, }
Jefferson County. } ss:

On this 1 day of Oct., A.D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State afore said J. H. Capps, who being duly sworn according to law, declares that he is bookkeeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates: Sept. 5-12-19-26, 1932.
Signed: J. H. CAPPS.

Subscribed and sworn to before me this day 1 of Oct., A.D., 1932.

W. O. OLIVER,
Notary Public.

(Seal)

Also:

By Mr. Taylor (notice and proof):

H. 623. For relief of Evie D'Olive and to appropriate for the said Evie D'Olive the sum of Three Thousand (\$3,000.00) Dollars by reason of the death of Walter S. D'Olive, caused as a result of the negligence of the State Docks Commission by leaving unprotected an electric steel or iron rail with which the said Walter S. D'Olive came in contact about to-wit the 20th day of June, 1928, causing his death, and at a place where he had a right to be; and authorizing, directing and requiring the said State Docks Commission to pay to her the sum of Three Thousand (\$3,000.00) Dollars as a moral obligation owed by the said State Docks Commission to Evie D'Olive for the death of her husband.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED
AN ACT

For the relief of Evie D'Olive and to appropriate for the said Evie D'Olive the sum of Three Thousand (\$3,000.00) Dollars by reason of the death of Walter S. D'Olive, caused as a result of the negligence of the State Docks Commission by leaving unprotected an electric steel or iron rail with which the said Walter S. D'Olive came in contact about to-wit the 20th day of June, 1928, causing his death, and at a place where he had a right to be; and authorizing, directing and requiring the said State Docks Commission to pay to her the sum of Three Thousand (\$3,000.00) Dollars as a moral obligation owed by the said State Docks Commission to Evie D'Olive for the death of her husband.

BE IT ENACTED
BY THE LEGISLATURE OF ALABAMA:

Section 1. That the said State Docks Commission of Alabama be and the same is hereby directed, authorized, and required to pay to Evie D'Olive the sum of Three Thousand (\$3,000.00) Dollars in settlement to her for a moral obligation owed by said State Docks Commission of Alabama to the said Evie D'Olive as a result of the electrocution of her husband, who was electrocuted by reason of said State Docks Commission leaving unprotected an electric steel or iron rail at a place which Walter S. D'Olive had a right to be, and which he came in contact with, and which caused his death about on to-wit the 20th day of June, 1928.

Section 2. That immediately after the passage of this act, the State Docks Commission of Alabama shall issue a warrant upon its treasurer in favor of Evie D'Olive in the sum of Three Thousand (\$3,000.00) Dollars.

Section 3. All laws and parts of laws, local, special or general, in conflict with the provisions of this act are hereby specifically repealed.

Section 4. That should any part of paragraph or section, or parts of paragraphs or sections of this act be held by any court of this state unconstitutional, none of the remaining parts or paragraphs or sections hereof shall be affected thereby.

This act shall take effect upon its passage.

J. G. McDonnell being sworn, says that he is Clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached appeared in the issues of Sept. 19, 26, Oct. 3, 10, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 10th day of Oct. 1932.

CARL M. SMITH,
Notary Public.

(Seal)

Also:

By Mr. De Sear (notice and proof):

H. 625. To pay the City of Marion for paving around the Perry County High School.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE.

Notice is hereby given that application will be made at the present Special Session of the Legislature of Alabama for the passage of a special, private or local law granting relief to the City of Marion, in Perry County, Alabama, which is in substance as follows, to-wit:

AN ACT

To pay the City of Marion for paving around the Perry County High School.

"WHEREAS, the City of Marion, in its paving program, built and constructed a cement sidewalk along the Perry County High School property, at a cost of \$1,418.60; and,

WHEREAS, it is used for the benefit of said school and said school property is materially enhanced in value by said improvement; and,

WHEREAS, the cost of such improvement is still unpaid; therefore;"

"Be it enacted by the Legislature of Alabama:

"Section 1: that there is hereby appropriated the sum of One Thousand Four Hundred Eighteen and 60-100, (\$1,418.60), for the payment of the assessment made by the City of Marion for paving the sidewalk around the Perry County High School."

Section 2. BE IT FURTHER ENACTED that the amount of One Thousand Four Hundred Eighteen and 60-100 (\$1,418.60), named in the foregoing Section, shall be paid out of any funds in the Treasury not otherwise appropriated, and that the State Auditor be, and hereby is authorized and required to draw his warrant on the State Treasurer for the amount named in Section 1, hereof, payable to the Mayor of said City of Marion."

Dated this the 13th, day of August, 1932.

W. L. DeSEAR,
Representative from Perry County.

The State of Alabama }
Perry County }

Before me, Irby Pope, Judge of Probate in and for said County in said State, personally appeared R. E. Woodfin, who, being by me first duly sworn, deposes and says that he is the Business Manager of The Marion Publishing Company, Incorporated, of Marion, Perry County, Alabama; and that the attached notice of intention to apply for the passage of a special, private or local law granting relief to the City of Marion, in Perry County, Alabama, setting out the substance of the proposed law, was published once a week for four

consecutive weeks in The Marion Times-Standard, a newspaper published in Perry County, Alabama, by The Marion Publishing Company, Incorporated, appearing in the issues of September 15, 1932, September 22, 1932, September 29, 1932, and October 6, 1932, of such newspaper.

R. E. WOODFIN.

Sworn to and subscribed before me this the 7th day of October, 1932.

IRBY POPE,

Judge of Probate, Perry County, Alabama.

Also:

By Mr. Sossaman (notice and proof):

H. 656. To reduce the salaries of all officers of the county of Mobile or the State of Alabama, whose salaries are paid in whole or in part by the county of Mobile, and providing when this act shall go into effect as to such officers.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE.

Notice is hereby given that application will be made to the present special session of the Legislature of Alabama for the passage of the following bill:

"A BILL TO BE ENTITLED

AN ACT TO REDUCE THE SALARIES OF ALL OFFICERS OF THE COUNTY OF MOBILE OR THE STATE OF ALABAMA, WHOSE SALARIES ARE PAID IN WHOLE OR IN PART BY THE COUNTY OF MOBILE, AND PROVIDING WHEN THIS ACT SHALL GO INTO EFFECT AS TO SUCH OFFICERS.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the salaries of all officers of the County of Mobile or State of Alabama, whose salaries are paid in whole or in part from the Treasury of Mobile County be reduced as follows:

(a). For the first \$100.00 per month, or part thereof, that such officer is paid from Mobile County Treasury, ten per centum thereof.

(b). For the second \$100.00 per month or part thereof, that such officer is paid from the Mobile County Treasury, twenty per centum thereof.

(c). For the third \$100.00 per month, or part thereof, that such officer is paid from the Mobile County Treasury, thirty per centum thereof.

(d). For the fourth \$100.00 per month, or part thereof, that such officer is paid from the Mobile County Treasury, forty per centum thereof.

(e). For the fifth \$100.00 per month, or part thereof, that such officer is paid from the Mobile County Treasury, fifty per centum thereof.

Section 2. This Act shall go into effect immediately, except as to those officers whose salaries are prohibited from being reduced during their term of office by Sections 150, 281, or any other section of the Constitution. This Act shall, however, apply to any such officer upon the expiration of his present term of office.

Section 3. All laws, general, special or local, in conflict herewith, are hereby repealed."

GEORGE A. SOSSAMAN.

J. G. McDonnell being sworn, says that he is clerk of The Mobile Press-Register, a daily newspaper printed and published in the City of Mobile, in the State of Alabama.

That the advertisement, attached appeared in the issues of Sept. 26, Oct. 3, 10, 17, 1932.

J. G. McDONNELL.

Sworn to and subscribed before me this 17 day of October, 1932.

GEORGE A. SOSSAMAN,
Notary Public.

Also:

By Mr. Lovelace (by request) (notice and proof):

H. 680. For the relief of J. L. Hicks, of Dadeville, Alabama, as Treasurer of Tallapoosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL.

Notice is hereby given that there will be introduced in the Legislature at the present special session thereof, a bill, the substance of which will be as follows:

A BILL TO BE ENTITLED AN ACT

For the relief of J. L. Hicks, of Dadeville, Alabama, as Treasurer of Tallapoosa County, Alabama.

Whereas, J. L. Hicks, County Treasurer of Tallapoosa County, Alabama, as such County Treasurer, had on deposit in The Tallapoosa County Bank at the time said bank closed its doors for business and was taken over for liquidation by The State Banking Department, money of said County of Tallapoosa in the aggregate amount of \$3,583.40, belonging to the several different and separate funds of said County as follows, to-wit:

General Fund.....	\$ 242.38
Road and Bridge Fund.....	995.27
Sinking Fund	1,700.00
Gas Fund	645.75

Total	\$3,583.40
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And whereas, the said J. L. Hicks, County Treasurer of said County as aforesaid, was requested, instructed and directed by the Commissioners Court of said County to deposit said money, all funds of said County in his hands or which came into his hands in said bank and the said J. L. Hicks as such Treasurer did deposit said money in said bank in obedience to the instructions and directions of said Commissioners Court of Tallapoosa County, which was and is the governing body of said County as to its financial and other affairs: Now, therefore,

Be it Enacted by the Legislature of Alabama:

Section 1. That J. L. Hicks, as Treasurer of Tallapoosa County, Alabama, be and he is hereby relieved from the payment of said sum of \$3,583.40, the aggregate sum made up of the several amounts of the different funds of said County of Tallapoosa, or any part of the same, and he is hereby relieved and released from any and all liability to said Tallapoosa County for said money so lost by reason of the failure of said bank.

Section 2. That all sums and monies that may be paid on said money so deposited by said Tallapoosa County Bank as dividends recovered by suit or otherwise, shall be paid to Tallapoosa County and shall belong to said County, to be apportioned among said several funds as shown above, pro rata.

Section 3. That any and all laws in conflict with this act are hereby repealed.

J. L. HICKS.

State of Alabama }
Tallapoosa County }

Before me, J. Percy Oliver, Judge of Probate, in said state and for said county, personally appeared Thos. S. Bugg, publisher of The Dadeville Record, a newspaper with a general circulation in Tallapoosa County, who deposes and says upon oath that the attached notice of a local bill was published in said newspaper for four consecutive weeks, to-wit: On August 25, 1932; September 1, 1932; September 8, 1932 and September 15, 1932.

THOS. S. BUGG,

Publisher.

Sworn to and subscribed before me, this the 16th day of September, 1932.

J. PERCY OLIVER,

Judge of Probate.

Also:

By Mr. Morrow (notice and proof):

H. 683. Extending and fixing the time for redemption of real estate from sales occurring in the City of Birmingham, Alabama, subsequent to January 1, 1930, and prior to January 1, 1940 for assessments for public improvements for four years from the date of such sale and fixing and limiting the rate of interest, fees, penalties and charges to be paid upon redemption.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom It May Concern:

Take notice that during the special session of the Legislature of Alabama, called to be held at Montgomery, Alabama, commencing on August 16, 1932, a bill will be introduced and its enactment applied for, which said bill will be in substance as follows:

A BILL TO BE ENTITLED AN ACT

Extending and fixing the time for redemption of real estate from sales occurring in the City of Birmingham, Alabama, subsequent to January 1, 1930, and prior to January 1, 1940, for assessments for public improvements, for four years from the date such sale and fixing and limiting the rate of interest, fees, penalties and charges to be paid upon redemption.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That in the City of Birmingham, Alabama, the time for the redemption of real estate from sales occurring subsequent to January 1, 1930, and prior to January 1, 1940, by said city for collection of assessments for public improvements be and the same is hereby extended and fixed at four years from the date of such sale.

Section 2. In case of redemption of real estate from any such sale by the said City of Birmingham, Alabama, for public improvements, where the sale occurred subsequent to January 1, 1930, and prior to January 1, 1940, the person redeeming it, in order to redeem, shall pay only the amount due for such improvements as of the date of sale and actual cost of sale with interest at the rate of 8 per cent per annum.

Section 3. That no statute relating to the rights, remedies, notices or methods of procedure now authorized by law for the sale of any real estate for the collection of such assessments for such improvements in said city is repealed or in any way modified except as herein provided.

Section 4. That should any provision of this act be declared unconstitutional, such invalidity or unconstitutionality shall not affect any of the other provisions of this act.

Section 5. All laws and parts of laws in conflict with this act, in so far as the same apply to said City of Birmingham, Alabama, are hereby repealed until January 1, 1940, after which time all such laws shall be in full force and effect in said city.

Section 6. That this act shall take effect immediately upon its approval by the Governor.

State of Alabama }
County of Jefferson } ss:

On this 18 day of Oct. A. D., 1932, personally appeared before me, W. O. Oliver, a Notary Public in and for the County and State afore said J. H. Capps, who being duly sworn according to law, declares that he is bookkeeper of The Birmingham Age-Herald, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that that the advertisement, a true copy of which is herewith attached, appeared in The Birmingham Age-Herald on the following dates: Sept. 27, Oct. 4, 11 and 18, 1932.

Signed J. H. CAPPS.

Subscribed and sworn to before me this day 18 of Oct. A. D., 1932.

W. O. OLIVER,
Notary Public.

(Seal)

Also:

By Mr. Edgar:

H. 242. To permit the County Executive Committee of any political party to require that members of said County Executive Committee be elected by the qualified electors of the County.

Also:

By Mr. McGraw:

H. 576. To provide for the relief of Byron Lindsey and to make appropriation therefor.

Also:

By Mr. McGraw:

H. 578. To provide for the relief of Harriett Clark Pope, and make appropriation therefor.

Also:

By Mr. McGraw:

H. 626. To provide for the relief of Pearce Templin and to make appropriation therefor.

Also:

By Mr. Taylor:

H. 675. To amend the title and Sections 1, 2, 3, 8, 13, 18, 21, 23, 24, 25, 26, 27, 28, 29 and 33 and by repealing Section 1½, 14, 20, 22, 30 and 32 of an Act entitled "An Act To authorize and require the governing bodies of all counties in the State of Alabama having a population according to the last or any subsequent Federal Census, of not less than 110,000, to purchase, lease or acquire by eminent domain proceedings or otherwise any and/or all toll bridges located wholly within any such county, or partly within such county and partly within an adjoining county, and now or hereafter forming a part of, or forming a connection between, one or more portions of any State or Federal highway or highways, and to prescribe the

powers and duties of the governing bodies of all such counties with respect to such bridges; to provide for the raising of necessary funds for such purposes and to authorize the issuance by all such counties of notes and/or bonds for such purpose, which notes or bonds shall not be general obligations of such counties, and shall be payable only out of the tolls collected from the operation of any such bridge; and to provide for and regulate the holding of elections by the qualified voters of such counties to authorize the issuance of such bonds, and ascertaining and declaring the results of such elections, and regulating the sale or other issue of such bonds and the use of the proceeds of such sale; to authorize the governing bodies of all such counties to execute mortgages upon such bridges so acquired by any such county, for the purpose of securing such notes or bonds; to prescribe the rights and powers of the purchasers of any bonds issued for such purposes; to authorize the governing bodies of all such counties to maintain and operate any such bridge so purchased, leased or otherwise acquired, and to operate same for toll until the cost of purchase or other acquisition and maintenance shall have been paid or the bonds or notes issued in respect thereof have been paid or retired; and to authorize the governing bodies of all such counties to apply to the payment in whole or in part of the expenses of maintenance and operation of any such bridge so acquired and/or to the payment in whole or in part of the principal and/or interest of any notes or bonds issued under the provisions of this Act, any portion of the general funds, or road and bridge funds, or the funds of such county not otherwise specifically pledged or designated by law to any other specific purpose, and to authorize the governing bodies of all such counties to sell or lease or release to the State of Alabama any such bridge so acquired by any such county; and repealing all Acts, general or special, in conflict therewith." Approved July 16th, 1931 and by adding to said Act a new section, being Section 33-a, and repealing all laws in conflict herewith.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate Standing Committees as follows:

House Bills 92, 256, 263, 485, 486, 577, 682, 95, 302, 342, 384, 441, 623, 625, 680, 576, 578 and 626 to the Committee on Finance and Taxation.

House Bills 203, 204, 598, 643, 644, 645, 647, 651, 664, 684, 614, and 683 to the Committee on Banking and Insurance.

House Bill 257 to the Committee on Education.

House Bills 383, 492 and 525 to the Committee on Fish, Game and Forestry.

House Bill 494 to the Committee on Judiciary.

House Bills 493, 656, 658, 606, and 675 to the Committee on Local Legislation.

House Bill 242 to the Committee on Privileges and Elections.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill and ordered same sent forthwith to the Senate without engrossment:

By Mr. Allen:

H. 688. To provide for and authorize the election of a Recorder by the Board of Commissioners in all cities in the State of Alabama, which now have a population of 24,000 and less than 40,000 people, according to the last Federal Census or which hereafter may have such a population according to any such census that may hereafter be taken, and to authorize such board of Commissioners to fix the salary or compensation of such recorder, and to provide that such Recorder's term of office shall be at the will of the Commission, and to fix the jurisdiction of such Recorder.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read once and referred to appropriate standing committee as follows:

H. 688, to the Committee on Local Legislation.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 22. For the relief of the National Life and Accident Insurance Company, Inc., a corporation, and for the appropriation to it of Five Thousand Seven Hundred Sixteen Dollars and Twenty-two Cents (\$5,716.22), excess taxes collected from it by the Insurance Department.

S. 136. To relieve Tax Assessors in all counties in Alabama which now have, or which may hereafter have a population of not less than Fifty Five Thousand and not more than Sixty Four Thousand Two Hundred according to the last Federal Census, or any such census which may be taken hereafter, from the duty of preparing a book of assessments, and in lieu thereof to arrange in alphabetical order the original lists and have same permanently

bound and kept as a permanent record and prepare tax collectors abstracts from said assessment lists.

S. 148. To amend Section 370 of the Code of Alabama.

S. 144. To amend Section Three (3) of an Act, Entitled An Act to provide for the election of a County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education, of Coosa County, Alabama; to provide for the election of his successor in office and to provide for his removal by the County Board of Education for good cause, approved August 9th, 1927, Local Acts of Alabama, page 127, 1927.

S. 184. To abolish the office of County Solicitor of Coosa County, Alabama, and to create in lieu thereof the office of County Attorney; to define the qualifications and duties of County Attorney of Coosa County, Alabama; to provide for his election or appointment; to provide for the salary of the County Attorney and the manner of paying the same; to prescribe his term of office and for his removal from office and for the filling of the vacancy in said office.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 131. For the relief of William H. Winston and Estella Winston both of Clarke County, Alabama, whose son Percy Winston was killed by a crazed inmate of the Alabama insane hospital at Mt. Vernon, Alabama, while the said Percy Winston was in the discharge of his duties as an employee of the State of Alabama at said hospital.

Also:

H. 429. To amend Sections 17, 18, 52, 55, 56, and 60 of the Municipal Bond Code, being an Act of the Legislature of Alabama, approved September 10, 1927, entitled "An Act to provide a code

of laws authorizing and governing the issuance, sale, regulation, funding, refunding, paying, and retiring of bonds of the counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act," as heretofore amended.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Twenty-Seventh Legislative Day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Respectively submitted,

Hubert Farmer,
Chairman.

COMMITTEE REPORT

On motion of Mr. Farmer, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Seventh Legislative Day, approved.

ADJOURNMENT

At 5:05 P.M., on motion of Mr. Hooton, the Senate adjourned until tomorrow morning, October 28th, 1932, at 10 A.M.

TWENTY-EIGHTH DAY

Friday, October 28th, 1932.

The Senate met pursuant to adjournment, Lieutenant-Governor Merrill, presiding.

PRAYER

By Dr. E. M. Parkman, of Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:			
Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Jordan	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth	Mullins	

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JOURNAL

On motion of Mr. Kelley, the reading the Journal of yesterday was dispensed with and the same approved by the Senate.

REPORTS OF COMMITTEES

Mr. McDowell, Chairman of the Standing Committee on Judiciary, reported that said Committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Glover of Elmore:

H. 93. To provide for the giving up by the State of Alabama and its officials of all its possession, claim, right and interest in and to the following described real estate located in Elmore County, Alabama, to-wit: "That part of sub-division D lying North of the Section line between Section thirty-four (34), Township Eighteen (18), Range Eighteen (18), and Section Three (3), Township Seventeen (17), Range Eighteen (18), being situated in Section thirty-four (34), Township Eighteen (18), Range Eighteen (18), lying South of the main stream of the Tallapoosa River and being surrounded by the so called Dead River, being the former stream of the Tallapoosa River and containing 27 acres, more or less, according to the map made by Mr. C. A. Pickett, County Surveyor of Montgomery County, May, 1930" to Mrs. C. E. Gaddis, Wetumpka, Elmore County, Alabama.

By Mr. Tucker:

H. 471. To prohibit fraud and deceit in the sale of liquid motor fuels, lubricating oils, greases or other petroleum products; to require the name of the owner of all pumps, containers or other dispensing equipment used in the retail selling of petroleum products or the brand, trade mark or trade name of said petroleum products to be placed and kept placed on said pumps, containers or other dispensing equipment; to prohibit the erasing, defacement, destruction or removal of the name of the owner of said pumps, containers or other dispensing equipment or the said brand, trade mark or trade name of the petroleum products or any word, figure or symbol placed on said pumps, containers or other dispensing equipment without the consent of said owner; to prohibit the sale, exposing or offering for sale of said petroleum products under any name other than the name or trade name given thereto or designated therefor by the manufacturer thereof, and to prohibit adulteration of said product or the substitution of other products therefor; to prohibit the sale or storage of said petroleum products in equipment other than that indicated by the brand, name, trade mark or trade name placed upon said equipment; to prohibit the delivery of petroleum products into any containers, tanks or other equipment other than as indicated by the brand, name, trade name or trade mark appearing on such equipment; to prohibit the imitation by any person, with the intent to deceive of the design, symbol, emblem, color scheme or trade name of any other marketer of petroleum products or the markings of any equipment of any such marketer, without the consent of such other marketer; to provide penalties for the violations of the provisions of this Act; to provide rewards for persons furnishing information leading to the arrest and conviction of persons violating any of the provisions of this Act; to repeal all laws or parts of laws inconsistent with the provisions of this Act, and to repeal an act entitled "An Act to prohibit the sale of liquid fuels, lubricating oils, and similar products, under false or fictitious names; the use of containers, tanks, pumps or other distributing equipment, for the storage or sale of fuels, oils, or similar products, other than those indicated by the name, device, sign or distinguishing marks, upon such containers, pumps or distributing equipment; to prohibit adulteration, and fixing penalties", Approved July 31, 1931.

Mr. Teasley, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goode:

H. 392. To provide for the issuance of registered warrants in

exchange for State warrants which were outstanding and unpaid on September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability, including inter alia, exemption from taxation, eligibility for investments and depositary requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments shall not be subject to reduction under Act No. 37, approved September 27, 1932.

Mr. Teasley, chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Lovelace (by request) (with notice and proof):

H. 680. For the relief of J. L. Hicks, of Dadeville, Alabama, as Treasurer of Tallapoosa County, Alabama.

Mr. Edmundson, chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Morrow:

H. 654. To fix the salaries of Judges of Inferior Courts, having criminal jurisdiction only, in all counties of the State of Alabama which now have or may hereafter have more than three hundred thousand population according to the last or any subsequent Federal Census.

By Mr. West:

H. 647. To Supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, Two Hundred Thousand (200,000) population or more according to the last or any subsequent Federal Census, and to provide for the payment of such supplemental salaries.

By Mr. West:

H. 645. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, Two Hundred Thousand (200,000) population or more according to the last or any subsequent Federal Census, and to provide for the payment of such supplemental salaries.

By Mr. Robinson:

H. 644. To further regulate the bailiffs in the circuit courts in all the counties in the State of Alabama, having a population of two hundred thousand (200,000) or more, according to the last or any subsequent Federal census; to fix a minimum number of bailiffs for all of such courts, to provide for the appointment, of the bailiff's in such courts, and to provide a method of fixing the number and compensation of such bailiffs and to provide for the payment of such compensation.

By Mr. Robinson:

H. 204. To further regulate the selection of juries in civil and criminal cases in all counties in this State having a population of three hundred thousand or more inhabitants according to the last or any succeeding Federal Census.

By Mr. Morrow (with notice and proof):

H. 683. Extending and fixing the time for redemption of real estate from sales occurring in the city of Birmingham, Alabama, subsequent to January 1, 1930, and prior to January 1, 1940 for assessments for public improvements for four years from the date of such sale and fixing and limiting the rate of interest, fees, penalties and charges to be paid upon redemption.

By Mr. Robinson:

H. 203. To provide for and regulate the mode of selecting and impanelling juries in all criminal and quasi-criminal cases in circuit courts in counties having a population of 300,000 or more according to the last or any future Federal Census.

By Mr. Bradford (Jefferson):

H. 684. To amend Sections 3, 6 and 7 of an Act entitled, "An Act to provide in all Counties in this State having a population of three hundred thousand, (300,000) inhabitants or more, according to the last or any subsequent Federal Census for an action of ejectment to recover possession of real property, and regulate the proceedings in such action by a purchaser of real property at mortgage foreclosure sale, or by one claiming under such purchaser," approved June 29, 1931.

By Mr. Morrow:

H. 598. To further regulate the arrest, confinement and care of insane persons in all counties of the State having a population of 300,000 or more according to the last or any subsequent Federal Census, and to further define the duties of such counties and their officers with respect thereto.

By Mr. Morrow:

H. 664. To amend Section 2 of an Act entitled, "An Act to provide for the more efficient handling of juries in circuit courts of all counties of the State of Alabama having a population of two hundred thousand or more according to the last or any subsequent Federal Census, and to provide for the appointment of a jury bailiff

and clerk of the Circuit court of every such County, to designate his duties and fix his compensation, and to provide for the payment of such compensation," Approved September 27, 1923.

By Mr. Morrow (with notice and proof):

H. 614. To provide that there shall be one clerk for both divisions of the Municipal Court of Birmingham, and such number of deputy or assistant clerks as may be necessary; to define the duties, prescribe the method for the appointment and provide for the fixing and payment of the compensation of such clerk and such deputy or assistant clerks.

By Mr. Morrow:

H. 643. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue or other governing body of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal Census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid," approved September 2, 1927.

Mr. Darden, chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Allen:

H. 688. To provide for and authorize the election of a Recorder by the Board of Commissioners in all cities in the State of Alabama, which now have a population of 24,000 and less than 40,000 people, according to the last Federal Census or which hereafter may have such a population according to any such census that may hereafter be taken, and to authorize such board of Commissioners to fix the salary or compensation of such recorder, and to provide that such Recorder's term of office shall be at the will of the Commission, and to fix the jurisdiction of such Recorder.

By Mr. Hightower (with notice and proof):

H. 650. For the relief of W. T. Scales.

By Mr. Parker:

H. 667. To authorize and empower the Courts of County Commissioners in all counties of Alabama which now have or may hereafter have a population of less than eighteen thousand, according to the last or any subsequent Federal Census, to transfer any Road and Bridge Funds that were levied and collected within the County or any Fine and Forfeiture Funds of the County at any meeting of said Court in any calendar year to the General Fund of the County and to ratify like transfers heretofore made and to repeal all laws and parts of laws in conflict with this Act.

By Mr. Parker:

H. 668. To authorize and empower the Courts of County Commissioners in all Counties of Alabama which now have or may hereafter have a population of less than eighteen thousand according to the last or any subsequent Federal Census to use twenty per cent of the funds derived from the excise tax on gasoline or other liquid motor fuels, levied under the Act of the Legislature of Alabama, approved February 10, 1923, entitled, "An Act imposing an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act," which is to be paid to said counties under the provisions of Sec. 83 of the Act of the Legislature of Alabama, approved August 22, 1923, entitled, "An Act in reference to, and to further provide for, the general revenue of the State of Alabama," for the purpose of paying the past due and future salaries of school teachers for teaching school in class room work in the respective counties, and to repeal all laws and parts of laws in conflict with this Act.

By Mr. Smith (Coosa) (with notice and proof) (with substitute):

H. 535. To abolish the offices of tax assessor and tax collector for Coosa County, Alabama, and to create and establish in lieu thereof, the office of tax assessor-collector for Coosa County, Alabama; to provide when said offices of tax assessor and tax collector shall be abolished, and when said office of tax assessor-collector shall be established and become effective; to provide when said tax assessor-collector shall be elected and to prescribe his term of office, authority, powers and duties; to provide for appointment of a deputy, for his authority and duties, to assist said tax assessor-collector and for their compensation; to provide that said tax assessor-collector shall be paid a salary in lieu of all other compensation for performing the duties of said office, the amount thereof and the manner in which the same shall be paid; to provide that said deputy shall be paid a salary for performing the duties of his office, the amount thereof and the manner in which the same shall be paid; to designate and set aside all fees, percentage, commissions and other allowances and compensations which are now or may hereafter be provided for by law and collected thereunder and paid as fees, percentages, commissions and other allowances or compensations to the tax assessor and/or to the tax collector of Coosa County, Alabama, or which may hereafter be provided for by law and collected for such purpose or purposes, as a special fund to be collected by said tax assessor-collector and paid by him into the treasury of Coosa County, Alabama; to provide that out of such special fund the salary of such tax assessor-collector, the

salary of said deputy be paid; to provide for the manner and to what purpose any excess of said special fund, over and above such salaries and compensations, may be expended; and to provide for the repeal of all laws, local, special and general, in conflict herewith.

By Mr. Hightower (with notice and proof):

H. 651. For the relief of E. C. Godfrey.

By Mr. Shepherd (with notice and proof) (with amendment):

H. 606. To repeal an Act entitled "An Act to regulate the business of money brokers or persons who lend money for themselves or others on bill of sale, notes or mortgages on personal property or other personal security in Jefferson, Morgan, Walker, and Etowah Counties; approved March 9, 1901" so far as the said Act applies to Walker County.

Mr. Wikle, chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Goodwyn:

H. 662. Further to provide for the purchase, construction and improvement of waterworks systems in cities, villages and incorporated towns in the State of Alabama, and to provide for the issuance of revenue bonds payable solely out of the revenues derived therefrom, and to provide for the operation of such systems in case of deficiencies in revenue.

By Mr. Goodwyn:

H. 661. To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby and a lien against such premises.

Mr. Beasley, chairman of the Standing Committee on Fish, Game and Forestry, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Granade:

H. 383. It is further provided that any person, firm or corporation who shall transport fresh salt water shrimp by water, taken in the waters of Alabama to a point outside the boundary lines of the State of Alabama, without first having paid the tax as

provided for by this Act shall be guilty of a misdemeanor and a penalty be fixed therefor.

By Mr. Granade:

H. 492. To amend an Act entitled "An Act to amend Section 4195 (6964) of the 1923 Code of Alabama".

By Mr. Kelly of Talladega:

H. 525. To authorize game farming to include game birds, animals and fur bearers for propagation purposes in the State of Alabama, to provide for the issuance of permits to accredited individuals, associations, partnerships, firms and corporations, to provide that the Commissioner of Game and Fisheries shall make regulations governing the issuance of said permits and the conduct of game farms, to provide for the cancellation of permit when terms upon which it is issued are violated, and to provide for penalties for violation of this Act, etc.

Mr. Powell, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tunstall:

H. 629. To limit the number of members of the several standing committees of the House of Representatives of the Legislature of the State of Alabama.

Mr. McDaniel, chairman of the Standing Committee on Privileges and Elections, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Edgar:

H. 242. To permit the County Executive Committee of any political party to require that members of said County Executive Committee be elected by the qualified electors of the County.

ADVERSE REPORTS

Mr. Hildreth, chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were placed on the adverse calendar, to-wit:

By Mr. Mullins:

S. 265. To provide for the calling of a convention in the State of Alabama to consider amendments proposed by the Congress to the Constitution of the United States of America.

By Mr. Mullins:

S. 63. To provide for holding a convention to revise and amend the Constitution of this State.

RESOLUTIONS

The Rules Committee reported the following Senate Resolution :

S. R. 92. Resolved by the Senate that the following bills be made special orders on the call of the Regular Calendar for the day :

S. 278, Page 45

S. 262, Page 50

S. 286, Page 51

H. 607, Page 4

H. 619, Page 5

H. 620, Page 5

H. 551, Page 41

H. 552, Page 42

H. 536, Page 2

H. 537, Page 3

H. 251, Page 42

H. 666, Page 49

S. 284, Page 38

S. 285, Page 37

S. 283, Page 38

S. 282, Page 39

S. 281, Page

And on motion of Mr. Powell, said report was concurred in and the above bills made special orders on call of the Regular Calendar for today.

Mr. Teasley offered the following Joint Resolution :

S. J. R. 93. Resolved by the Senate, the House concurring, that when the two Houses adjourn today, they will adjourn to meet on Tuesday, November 1, 1932.

And on motion of Mr. Teasley, the rules were suspended and the resolution was adopted.

Mr. Kelly offered the following Senate Resolution :

S. R. 94. WHEREAS, the closing days of the Special Session of the Legislature of Alabama is now nearing a close;

WHEREAS, the Senate of the State of Alabama has not always adhered to a personal or selfish view on matters coming before said Special Session;

WHEREAS, the Senate has by all of its legislative enactments tried to do the best for the State of Alabama and the People of said State;

WHEREAS, even as good a State as the State of Alabama has within its borders and confines some party or parties who are a disgrace even to the name of Benedict Arnold;

WHEREAS, Benedict Arnold was a Spy on his home, his Country, a betrayer of his faith and his loved ones, and is properly classed as a Modern Judas Iscariot;

WHEREAS, the enclosed and attached card or notice is made a part of this Resolution, and is to be read as a part of this Resolution, (Secretary here read attached card);

THEREFORE, be it Resolved by the Senate of the State of Alabama in Session convened that the party or parties who used the mails of this Great Government of ours to forward said obnoxious, obscene, vulgar, traitorous, low-down, insidious, snake in the grass matter and under cover of no signature, are hereby declared to be in that class that dogs would not consort with, that snakes would avoid, and the hated of people who have the decencies of statesmanship and citizenship.

BE IT FURTHER RESOLVED, that we as the Senate of Alabama renew our pledge of faith in the Governor of Alabama and in the Legislature of Alabama, and the rededication of our moral, physical and financial support of the things for the best interests of our Great State, and we solemnly condemn such nefarious tactics as the party of parties sending such nefarious, concealed messages as the opposite of loyalty and patriotism, and that the U. S. Postal authorities are hereby requested to investigate the use of the United States mail for such purpose.

And on motion of Mr. Kelly, the rules were suspended and the resolution adopted.

REPORT FROM RULES COMMITTEE

Mr. Powell, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 88. Requesting the Finance and Taxation Committee to make a report on H. 124.

Mr. Shepherd moved concurrence in said report and that the resolution be adopted.

Mr. Powell moved to table the motion to concur in the report and adopt the resolution, which motion prevailed and the motion to concur, together with the resolution, was laid on the table.

Yeas, 18; nays, 15.

Yeas:

Messrs.:

Beasley	Delony
Bonner	Farmer
Brown	Garrett
Caffey	Hooton
Craft	Hubbard

Kelley
Lapsley
McDaniel
McDowell

Powell
Riddle
Warren
Wikle

—18

Nays:
Messrs.:
 Bartlett
 Cooper
 Cowart
 Darden

Duncan
 Edmundson
 Fletcher
 Goodwin

Hildreth
 Jordan
 Millsap
 Mullins

Shepherd
 Teasley
 Walker

—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 421. A bill to be entitled an act to propose an amendment to the Constitution of Alabama, to be known as Article AA, to provide that it shall be unlawful for the Auditor of the State of Alabama to draw any warrant, or other order for the payment of money belonging to, or administered by, the State of Alabama, upon the State Treasurer, unless and until it shall have been certified to such Auditor by such Treasurer, in writing, that there is then in the hands of such Treasurer, money available, and appropriated for the full payment of the same; and to provide that, in case there is, at the end of the fiscal year insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, for the proration of the same, and for the issuance and payment of warrants for the several prorated sums; and to provide that all unpaid appropriations which exceed the amount of money in the State Treasury at the end of each fiscal year available for their payment, shall become null and void to the extent of such excess; and to provide that if there shall be in the State Treasury, at the end of any fiscal year, any money of the general fund in excess of the appropriations for that year, that the same shall be covered into a special fund for the sole benefit of the common schools of Alabama and to provide penalties for the violation of any of the provisions of such amendment.

Be it enacted by the Legislature of Alabama:

Section 1. That an amendment to the Constitution of the State of Alabama, to be known as Article AA, is hereby proposed, the proposed amendment being as follows:

"Article AA. From and after the adoption of this amendment it shall be unlawful for the Auditor of the State of Alabama to draw any warrant or other order for the payment of money belonging to, or administered by, the State of Alabama upon the State Treasurer unless and until it shall have been certified to such Auditor by such Treasurer that there is then in the hands of such Treasurer money available, and appropriated, for the full payment of the same. In case there is, at the end of any fiscal year, insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of

warrants, the Auditor shall issue warrants for that proportion of each such claim which the money available for the payment of all of said claims bears to the whole, and such warrants for such prorated sums shall thereupon be paid by the State Treasurer. At the end of each fiscal year all unpaid appropriations which exceed the amount of money in the State Treasury subject to the payment of the same after the proration above provided for, shall thereupon become null and void to the extent of such excess. If there shall be in the State Treasury at the end of any fiscal year, any money in the general fund in excess of the appropriations for that year, such excess shall be covered into a special fund for the sole benefit of the common schools of Alabama.

The word 'Auditor', as herein used shall include any officer who is now or who may hereafter be vested with the powers now or formerly exercised by the State Auditor of Alabama in the issuance of State Warrants, and the word 'Treasurer', as herein used shall include any officer charged with the custody and disbursement of funds belonging to or administered by the State of Alabama.

Any person violating any of the provisions of this Article shall, on conviction, be punished by a fine of not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the penitentiary for not more than two years, one or both, at the discretion of the jury trying the same, and the violation of any of the provisions of this Article shall also be ground for impeachment."

Section 2. An election by the qualified electors of the State upon such proposed amendment is hereby ordered, and the day hereby appointed for such election is the general election to be held in the State of Alabama in the year 1934, viz, the second Tuesday, in November, 1934.

Section 3. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each County in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article AA of the Constitution of Alabama?" "Article AA. From and after the adoption of this amendment it shall be unlawful for the Auditor of the State of Alabama to draw any warrant or other order for the payment of money belonging to, or administered by, the State of Alabama upon the State Treasurer unless and until it shall have been certified to such Auditor by such Treasurer that there is then in the hands of such Treasurer money available, and appropriated, for the full payment of the same. In case there is.

at the end of any fiscal year, insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, the Auditor shall issue warrants for that proportion of each such claim which the money available for the payment of all of said claims bears to the whole, and such warrants for such prorated sums shall thereupon be paid by the State Treasurer. At the end of each fiscal year all unpaid appropriations which exceed the amount of money in the State Treasury subject to the payment of the same after the proration above provided for, shall thereupon become null and void to the extent of such excess. If there shall be in the State Treasury at the end of any fiscal year, any money in the general fund in excess of the appropriations for that year, such excess shall be covered into a special fund for the sole benefit of the common schools of Alabama.

The word 'Auditor,' as herein used shall include any officer who is now or who may hereafter be vested with the powers now or formerly exercised by the State Auditor of Alabama in the issuance of State Warrants, and the word 'Treasurer,' as herein used shall include any officer charged with the custody and disbursement of funds belonging to or administered by the State of Alabama.

Any person violating any of the provisions of this Article shall, on conviction, be punished by a fine of not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the penitentiary for not more than two years, one or both, at the discretion of the jury trying the same, and the violation of any of the provisions of this Article shall also be ground for impeachment. Yes. No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, expressing his desire.

Section 5. The officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officers as provided by the election law of the State, for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the Constitutional provisions concerning amendments to that instrument.

Section 6. The votes cast at said election on said amendment shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 113. Defining contract carriers and common carriers by motor vehicle not subject to the provisions of the Alabama Motor Carrier Act of 1931; to authorize, regulate and govern the transportation for hire of persons and property on public highways by motor vehicles operated by such contract carriers and common carriers; to authorize, regulate and govern the issuance of permits therefor; to regulate and govern the rates and practices of such carriers; to provide for the payment of fees, and for the payment of excise taxes for the use of the public highways by such contract carriers and common carriers and to provide for the disposition thereof; to enlarge the powers and duties of the Alabama Public Service Commission and Probate Judges of the State with respect to permits issued to and the regulation and control of such carriers, and to provide for the payment of fees to such Probate Judges; to provide for the appointment of resident agents (upon whom service of process may be had) of such contract carriers and common carriers who may be non-residents of the State; to authorize municipalities in this State to prescribe license taxes to be paid by such contract carriers and common carriers; to prescribe and regulate the practice and procedure before the Alabama Public Service Commission with respect to said carriers, and to authorize and prescribe appeals from rulings with respect to such carriers, and to regulate injunctions and like orders respecting the same; and to provide for the enforcement, and to prescribe punishment and penalties for the violation of this Act.

Also:

H. 260. To amend Section 8277 of the Code of Alabama of 1923.

Also:

H. 421. To propose an amendment to the Constitution of Alabama, to be known as Article A A, to provide that it shall be unlawful for the Auditor of the State of Alabama to draw any warrant, or other order for the payment of money belonging to, or administered by, the State of Alabama, upon the State Treasurer, unless and until it shall have been certified to such Auditor by such Treasurer, in writing, that there is then in the hands of such Treasurer, money available, and appropriated for the full payment of the same; and to provide that, in case there is, at the end of the fiscal year insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, for the proration of the same, and for the issuance and payment of warrants for the several prorated sums; and to provide

that all unpaid appropriations which exceed the amount of money in the State Treasury at the end of each fiscal year available for their payment, shall become null and void to the extent of such excess; and to provide that if there shall be in the State Treasury, at the end of any fiscal year, any money of the general fund in excess of the appropriations for that year, that the same shall be covered into a special fund for the sole benefit of the common schools of Alabama and to provide penalties for the violation of any of the provisions of such amendment.

Be it enacted by the Legislature of Alabama:

SECTION 1.—That an amendment to the Constitution of the State of Alabama, to be known as Article A A, is hereby proposed, the proposed amendment being as follows:

“Article A.A. From and after the adoption of this amendment it shall be unlawful for the Auditor of the State of Alabama to draw any warrant or other order for the payment of money belonging to, or administered by, the State of Alabama upon the State Treasurer unless and until it shall have been certified to such Auditor by such Treasurer that there is then in the hands of such Treasurer money available, and appropriated, for the full payment of the same. In case there is, at the end of any fiscal year, insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, the Auditor shall issue warrants for that proportion of each such claim which the money available for the payment of all of said claims bears to the whole, and such warrants for such prorated sums shall thereupon be paid by the State Treasurer. At the end of each fiscal year all unpaid appropriations which exceed the amount of money in the State Treasury subject to the payment of the same after the proration above provided for, shall thereupon become null and void to the extent of such excess. If there shall be in the State Treasury at the end of any fiscal year, any money in the general fund in excess of the appropriations for that year, such excess shall be covered into a special fund for the sole benefit of the common schools of Alabama.

The word ‘Auditor,’ as herein used shall include any officer who is now or who may hereafter be vested with the powers now or formerly exercised by the State Auditor of Alabama in the issuance of State Warrants, and the word ‘Treasurer,’ as herein used shall include any officer charged with the custody and disbursement of funds belonging to or administered by the State of Alabama.

Any person violating any of the provisions of this Article shall, on conviction, be punished by a fine of not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the penitentiary for not more than two years, one or both, at the discretion of the jury trying the same, and the violation of any of the provisions of this Article shall also be ground for impeachment.”

Section 2. An election by the qualified electors of the State upon such proposed amendment is hereby ordered, and the day hereby appointed for such election is the general election to be held in the State of Alabama in the year 1934, viz, the second Tuesday, in November, 1934.

Section 3. Notice of the election hereby ordered, together with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each County in the State for at least eight successive weeks next preceding the day hereby appointed for such election.

Section 4. At the election hereby ordered to be held as herein provided, the qualified electors shall vote on said proposed amendment; and on the official ballot printed for such election there shall be printed the following, viz: "Shall the following be adopted as Article A A of the Constitution of Alabama?" "Article A.A. From and after the adoption of this amendment it shall be unlawful for the Auditor of the State of Alabama to draw any warrant or other order for the payment of money belonging to, or administered by, the State of Alabama upon the State Treasurer unless and until it shall have been certified to such Auditor by such Treasurer that there is then in the hands of such Treasurer money available, and appropriated, for the full payment of the same. In case there is, at the end of any fiscal year, insufficient money in the State Treasury for the payment of all proper claims presented to the Auditor for the issuance of warrants, the Auditor shall issue warrants for that proportion of each such claim which the money available for the payment of all of said claims bears to the whole, and such warrants for such prorated sums shall thereupon be paid by the State Treasurer. At the end of each fiscal year all unpaid appropriations which exceed the amount of money in the State Treasury subject to the payment of the same after the proration above provided for, shall thereupon become null and void to the extent of such excess. If there shall be in the State Treasury at the end of any fiscal year, any money in the general fund in excess of the appropriations for that year, such excess shall be covered into a special fund for the sole benefit of the common schools of Alabama.

The word 'Auditor,' as herein used shall include any officer who is now or who may hereafter be vested with the powers now or formerly exercised by the State Auditor of Alabama in the issuance of State warrants, and the word 'Treasurer,' as herein used shall include any officer charged with the custody and disbursement of funds belonging to or administered by the State of Alabama.

Any person violating any of the provisions of this Article shall, on conviction, be punished by a fine of not exceeding Five Thousand Dollars (\$5,000.00), or by imprisonment in the penitentiary for not more than two years, one or both, at the discretion of the jury try-

ing the same, and the violation of any of the provisions of this Article shall also be ground for impeachment. Yes. No." The choice of the elector shall be indicated by a cross mark made by him, or under his direction, expressing his desire.

Section 5. The officers to hold such election shall be the same, and shall be appointed in the same manner and by the same officers as provided by the election law of the State, for the appointment of officers to hold general elections in the State, and the election shall be held in all things in accordance with the law governing general elections and with the Constitutional provisions concerning amendments to that instrument.

Section 6. The votes cast at said election on said amendment shall be counted, canvassed and tabulated and return made to the Secretary of State in the same manner as in elections of Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon the proposed amendment, voted in favor of the same, such amendment shall be valid in all intents and purposes as a part of the Constitution of Alabama. The result of such election shall be made known by the proclamation of the Governor.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment: By Mr. Christopher (notice and proof):

H. 672. To authorize and direct the Commissioners Court of Choctaw County, Alabama, to appropriate out of the general funds of Choctaw County, Alabama, twenty-five hundred dollars during their first regular meeting or session after the passage of this bill and twenty five hundred dollars during their regular meetings in each October thereafter, and to pay the said monies to the Treasurer or other custodians of the funds of Choctaw County, Alabama, and direct him to use said monies exclusively for the payment of registered witness tickets which have been or may hereafter be issued by legal authorities in Choctaw County, Alabama, and to further authorize and direct the said Commissioners Court of Choctaw

County, Alabama, to issue interest bearing warrants to provide said monies, if not available otherwise out of the General Fund, and to further provide conditions under which this law may become of no further force or effect.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill will be introduced during the present session of the Legislature of Alabama, and offered for passage into a law authorizing and directing the Commissioners Court of Choctaw County, Alabama, to appropriate out of the general funds of Choctaw County, Alabama, twenty-five hundred dollars during their first regular meeting or session after the passage of this bill and twenty-five hundred dollars during their regular meetings in each October thereafter, and to pay the said monies to The Treasurer, or other custodians of the funds of Choctaw County, Alabama, and direct him to use said monies exclusively for the payment of registered witness tickets, which have been or may hereafter be issued by legal authorities in Choctaw County, Alabama and to further authorize and direct the said Commissioners Court of Choctaw County, Alabama, to issue interest bearing warrants to provide said monies, if not available otherwise out of the general fund, and to further provide conditions under which this law may become of no further force or effect.

CERTIFICATE OF PUBLICATION.

The State of Alabama,
Choctaw County.

Personally appeared before me, the undersigned authority in and for said county and state, who, being by me duly sworn, deposes and says that he is the publisher of the Choctaw Advocate, a newspaper published in Choctaw County, Alabama, and that the attached notice was published for four consecutive weeks in said newspaper commencing on the 22nd day of September, 1932, and ending on the 13th, day of October, 1932.

L. E. LOWE,
Publisher.

Sworn to and subscribed before me this the 13th day of Oct., 1932.

RUBY LOTT,
Notary Public.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bill in the foregoing House Message was read once and referred to appropriate standing committee as follows:

H. 672, to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Miller:

H. 248. To amend Section 10471 of the Code of Alabama.

Also:

By Mr. Goodwyn:

H. 337. For the protection of people who have assembled together to receive instruction, for amusement, recreation or any other lawful purpose from certain wrongful acts.

Also:

By Mr. Morrow:

H. 665. To amend an act entitled, "An Act to create the office of County Attorney in all counties in this State, having a population of two hundred thousand or more, according to the last or any subsequent Federal Census, to prescribe the method of their election, to fix their term of office, to prescribe the duties of said office, to fix the compensation thereof and the method of their removal," approved August 11th, 1927, as amended by an Act entitled "An Act to amend an Act approved August 11th, 1927, entitled 'An Act to create the office of County Attorney in all counties in this State, having a population of 200,000 or more according to the last or any subsequent Federal Census, to prescribe the method of their election, to fix their term of office, to prescribe the duties of said office, to fix the compensation thereof and the method of their removal'," approved July 17, 1931.

Also:

By Mr. Goode:

H. 299. To amend Section 139 of an Act: "To adopt the Code of Laws for the State of Alabama prepared in accordance with the provision of the Acts approved February 18th, 1927, (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioner of Agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama," approved August 24, 1927.

Also:

By Mr. Rish (by request):

H. 659. To amend Section 3320 of the Code of Alabama of 1923.

Also:

By Mr. Beebe:

H. 670. To impose an excise tax in addition to any and all other excise taxes now imposed by law on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, refining, storing, or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax; and for the examination of the books and records of any persons, corporations, copartnerships, companies, agencies or associations engaged in the

business of selling, distributing, refining, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; providing a penalty for any false statements made in making reports to the State Tax Commission; providing for the distribution of the funds derived therefrom, and the use to which such funds may be put; and providing for the enforcement of this Act and fixing a penalty for violation of any of the provisions hereof.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were severally read once and referred to appropriate standing committees as follows:

House Bills 248; 337, 299, and 659, to the Committee on Judiciary.

H. 665, to the Committee on Banking and Insurance.

H. 670, to the Committee on Public Roads and Highways.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference appointed on the disagreement of the two Houses on the House amendment to the bill:

S. 25. Relating to the salary or compensation of officers or employees of the State, or of any department thereof whose compensation is paid out of State Treasury.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution and sends same herewith to the Senate:

By Mr. Wallace:

H. J. R. No. 160. Be it resolved by the House, the Senate concurring, That

Whereas, the President of the United States and the Secretary of the Navy have proclaimed this day as "Navy Day", and

Whereas, the day of October 27, of each year, has been selected in honor of and on the birthday of, one of our Presidents of the United States, by the name of Roosevelt.

Now therefore be it resolved by the House of Representatives, the Senate concurring, that the United States Navy be given the hearty endorsement of this body for its achievements in the history

of these United States, and that this day be proclaimed as "Navy Day" in honor of the United States Navy, and the name of Roosevelt, which same name will once again grace the pages of history as a President of these United States.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 160, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following resolution:
By Mr. Taylor:

H. R. 161. Resolved by the House that the Senate be requested to return to the House, H. 675, for further consideration.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

H. J. R. 161, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 17. To provide that in Etowah County, agreements may be entered into for the lease, rental or hire of personal property not to exceed Two Hundred (\$200.00) Dollars in value, said agreements to be valid against purchasers for a valuable consideration, mortgagees, landlord's lien and judgment creditors without being recorded in the office of the judge of probate; to provide for the repossession of such personal property by the lessor; to prescribe penalties for the unlawful disposition of such personal property by the lessee, and to repeal all laws in conflict.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jordan, the Senate concurred in the following amendment by the House to S. 17, the title of which is set out in the foregoing Message from the House, to-wit:

Amendment to S. 17:

Insert after the words "personal property" in section one of the bill the words "consisting of household and kitchen furniture and furnishings only."

Also amend the bill:

By striking out the words "offer for sale" in Section four of the bill.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Mullins
Beasley	Duncan	Jordan	Powell
Brown	Edmundson	Kelley	Scruggs
Caffey	Farmer	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Hildreth	Millsap	Wikle
Darden	Hooton		

—30

Montgomery, Ala.,
October 27, 1932.

State Senate of Alabama,
State Capitol,
Montgomery, Alabama.
Gentlemen:

It is the desire of the Treasury to furnish full information about any details of this office.

In prefacing this report, it may be said that the Treasury has labored under great difficulty, by reason of excess appropriations and expenses above Treasury receipts, the same being doubtless due to the depression and unforeseen causes. Not to mention outstanding debts prior to that time, the State issued during the fiscal year 1930-1931 aggregate warrants to the extent of about \$7,803,664.12 in excess of Treasury receipts; during the fiscal year 1931-1932 excess warrants for \$2,625,576.77 or about \$10,429,280.89 in excess of Treasury receipts during these two fiscal years alone. It will be readily seen that the Treasury could not meet all warrants.

CONSOLIDATED FUNDS

Nearly a quarter of a century ago, a law was passed by the Legislature consolidating all funds in the Treasury, except Federal and Constitutional funds, and wiping out all lines of distinction. Records of the State indicate that Constitutional funds were also consolidated. It would appear also that since that time these funds have been consolidated, book balances being kept as to funds. (It is presumed that the purpose of this law was to permit the State to use in emergencies special funds to meet State expenses, thus saving large amounts in interest.)

MONEY IN TREASURY

At the beginning of this Administration, Jan. 19, 1931, cash in Treasury as shown by records was \$674,258.89. Most of this amount (\$543,322.68) was shown to be highway building funds, only \$130,936.21 being shown for the General Fund. Book balances showed large credits to specific funds, but it is generally known that for a period of years the General Fund has been largely indebted to special funds. In mentioning this condition, there is no intent of criticizing or casting any aspersions upon those who have preceded in office. The State income has not been sufficient to meet appropriations and expenses, and for some time large sums in warrants have been certifi-

cated from one year into the succeeding year for payment, thus largely obligating, before collected, the new year revenue to pay old year obligations. (During the past year no additional warrants have been certificated, but many remain unpaid.)

CERTIFICATED WARRANTS

(A certificated warrant is one on which there is an agreement by the State with some bank or financial agent, that the latter shall pay full face value of the warrant to party in whose favor it is drawn, and then with certificate attached to warrant carry the same for a given period before presenting to Treasury for payment, interest on the same being paid from Governor's interest contingent fund. Certificated warrants have been used more or less in emergencies by many administrations.)

Large amounts of warrants on many different funds were certificated for payment out of the 1930-31 revenues.

MONEY COLLECTED IN ADVANCE

Attention is called to Page 40 of the Loomis, Suifern & Fernald special audit (Hopkinson Smith Report) which says that certain educational taxes were collected in advance and applied to the year 1929-30. The report adds: "In addition there was collected in May, 1930, \$337,000.00 advance payment of Hydro Electric KWH taxes which, while the cash was used to liquidate current debts, was not certified into the Treasury until after October 1, 1930." It will thus be seen that this \$337,000.00 paid earlier than due, should be deducted from 1930-31 receipts.

LARGE OBLIGATIONS DUE

On Feb. 1, 1931, there was due in New York something over \$1,054,000.00 general educational warrants, which the schools had received, and which warrants were certificated in December, 1930. There was also due heavy payments on the General Education Fund and other educational funds. With a depleted Treasury the schools faced a crisis and closing. The State arranged to re-certificate the warrants then due in New York, and to certify an additional sum for the benefit of schools and eleemosynary institutions. Total amount of the above was as follows, which the schools and eleemosynary institutions received in cash:

CERTIFICATED WARRANTS BY FUNDS

Public School Fund warrants.....	\$ 3,225,096.01
Alabama Special Educational Trust Fund.....	603,084.30
Miscellaneous Educational Funds.....	522,685.83
Boys' Industrial School.....	60,615.00
Alabama School for Deaf and Blind.....	99,680.00
Insane Asylums	467,214.25
Total.....	\$ 4,978,375.39

(Note—Boys' Industrial School, Deaf and Blind School, Insane Asylum payments are not further mentioned or included in this report. Neither is money paid from General Fund to Girls' Training School, Vocational School for Girls, etc.)

Of the amount certificated above, \$672,644.34 in Public School fund warrants were paid in January and February, 1932.

Herewith attached are statements of educational receipts and payments from Oct. 1, 1930 to Sept. 30, 1932, fiscal years 1930-31 and 1931-32, also showing amounts received from warrants certificated in the year 1930-31.

Very sincerely,

S. H. BLAN,
State Treasurer.

GENERAL EDUCATION FUND

	Receipts Oct. 1, 1930 Jan. 19, 1931 Inc.	Receipts Jan. 20, 1931 Sept. 30, 1931 Inc.	Total
Issuance and Extension Teachers' Certificates	\$ 2,438.00	\$ 6,482.00	
Escheats	246.42	879.18	
Sixteenth Section Land Rentals.....	716.00	40.00	
Sixteenth Section Land Sales.....	10.00		
Poll Tax.....	54,411.00	105,908.75	
School Indemnity Fund.....	94.98	232.33	
Special School Fund.....	2,470,601.67	1,026,305.38	
Special School Fund — Former Years.....	3,268.01	3,844.15	
Special School Fund—Land Redemption.....	10,857.97	16,618.85	
	<u>\$ 2,542,644.05</u>	<u>\$ 1,160,310.64</u>	<u>\$ 3,702,954.69</u>

ALABAMA EDUCATIONAL TRUST FUNDS

Railroads	\$ 199,443.98		
Telegraph Companies.....	778.70		
Telephone Companies.....	1,536.92		
Express Companies.....	9,770.07		
Hydro-Electric Power Co's.....	348,078.99	167.24	
Coal Tonnage.....	112,503.66	212,398.00	
Iron Ore Tonnage.....	65,213.59	124,599.53	
Severance	1,601.55	4,324.56	
Tobacco	406,370.59	547,735.09	
Erecting and Repairing Rural Schools—Refund	4,679.60	15,224.92	
Store License		5,708.00	
	<u>\$ 1,149,977.65</u>	<u>\$ 910,157.34</u>	<u>\$ 2,060,134.99</u>

FEDERAL FUNDS

	Receipts Oct. 1, 1930 Jan. 19, 1931 Inc.	Receipts Jan. 20, 1931 Sept. 30, 1931 Inc.	Total
Vocational Education.....	\$ 82,659.81	\$ 91,647.01	
George Reed Fund.....	18,311.25	18,919.46	
Morrell Fund.....		50,000.00	
	<u>\$ 100,971.06</u>	<u>\$ 160,566.47</u>	<u>\$ 261,537.53</u>

GENERAL EDUCATION FUND

Disbursements	Disbursements	Disbursements	Total
Oct. 1, 1930	Oct. 1, 1930	Jan. 20, 1931	
Jan. 19, 1931	Jan. 19, 1931	Sept. 30, 1931	
Inc.	Inc.	Inc.	
Previous Year	Current Year	Current Year	
\$ 108,871.26	\$ 1,049,498.88	\$ 160,670.41	
Public School Funds			

\$ 1,319,040.55

ALABAMA EDUCATIONAL TRUST FUNDS

Attendance Fund	\$ 194,634.88		
Normal Schools	37,500.00	48,750.00	
University	88,026.44		88,838.95
Alabama Polytechnic Institute	88,026.44		88,838.94
Alabama College	49,655.95		50,114.27
County High Schools	49,121.47		5,039.39
Tobacco Tax	3,205.71	15,645.83	24,831.88
Removal of Illiteracy	1,693.30	1,298.22	15,281.60
Physical Restoration	1,030.34	4,629.11	12,267.14
Library Fund	26.00		614.53
Equalization Fund	75,441.82		
Teacher Training and Equalization	50,000.00		124,000.00
State Board of Education	2,554.02	8,669.67	17,678.86
Erecting and Repairing Rural Schools	70,751.66		
Agricultural and Mechanical Institute		2,500.00	5,000.00
Alabama School Trades and Industries		8,750.00	17,500.00
Vocational Education			66,808.61
	\$711,668.03	\$90,242.83	\$ 516,814.17
			\$1,318,725.03

[illegible]

RECAPITULATION RECEIPTS

General Education Fund.....	\$3,702,954.69	
Ala. Educational Trust Fund.....	2,060,134.99	
Federal Funds.....	261,537.53	\$6,024,627.21

DISBURSEMENTS

General Education Fund.....	\$1,319,040.55	
Ala. Educational Trust Fund.....	1,318,725.03	
Federal Funds.....	264,785.17	
General Fund—Educational Appropriation....	1,496,431.46	\$4,398,982.21
Funds from which warrants were certificated:		
General Education Fund.....	\$3,225,096.01	
Ala. Educational Trust Fund.....	603,084.30	
Gen. Fund—Educational Appropriation....	522,685.83	\$4,350,866.14

GENERAL EDUCATION FUND

	Receipts	
	Oct. 1st, 1931	
	Sept. 30, 1932	Total
	Inclusive	
Issuance and Extension Teachers Certificates.....	\$ 13,632.00	
Escheats.....	236.47	
Sixteenth Section Land, Rentals.....	533.50	
Poll Tax.....	242,910.20	
School Indemnity Fund.....	62.74	
Special School Fund.....	3,345,320.88	
Special School Fund, Former Years.....	26,162.38	
Special School Fund, Land Redemption.....	34,070.47	\$3,662,928.64

ALABAMA EDUCATION TRUST FUND

Railroads.....	\$ 386,172.45	
Telephone Companies.....	146,292.87	
Express Companies.....	6,932.59	
Hydro-Electric Power.....	298,495.54	
Coal Tonnage.....	209,989.49	
Iron Ore Tonnage.....	82,877.65	
Severance.....	3,191.19	
Pullman Companies.....	20,000.00	
Tobacco Tax.....	667,822.57	
Store License.....	53,222.50	
Erecting and Repairing Rural Schools, Refund....	10,577.69	\$1,885,574.54

FEDERAL FUNDS

Vocational Education.....	\$ 181,849.36	
George Reed Fund.....	59,273.14	
Morrell Fund.....	50,000.00	\$ 291,122.50

GENERAL EDUCATION FUND

	Disbursements Oct. 1st, 1931 Sept. 30th, 1932 Inclusive Previous Year	Disbursements Oct. 1st, 1931 Sept. 30th, 1932 Inclusive Current Year	Total
Public School Funds.....	\$ 672,644.34	\$2,926,531.50	\$3,599,175.84
Previous year item is certificated warrants paid in current year			

—The difference between Receipts and Disbursements of this fund is \$63,752.80 and this amount is deposited in separate bank account.

ALABAMA EDUCATION TRUST FUNDS

Alabama College.....	\$ 50,114.27	\$ 50,114.27	
Alabama Polytechnic Inst.....	88,838.96	88,838.94	
University.....	88,838.95	88,838.94	
Normal Schools.....	48,750.00	48,750.00	
County High Schools.....	405,868.65	6,000.00	
Teacher Training and Equalization.....		74,000.00	
School Trades & Industries.....	8,750.00	10,000.00	
A. & M. Institute.....	2,500.00	2,500.00	
Erecting and Repairing Rural Schools.....	108,067.33	32,209.01	
Library Fund.....	2,510.00	5,882.17	
Physical Restoration.....	347.34	14,736.68	
Removal of Illiteracy.....	650.63	21,246.82	
State Board of Education.....	2,163.28	24,972.96	
Store License.....		13,185.03	
Tobacco Tax.....	2,828.60	48,684.48	
Attendance.....	850,000.00		
Vocational Education.....	4,581.14	215,176.02	
	<u>\$1,664,809.15</u>	<u>\$745,135.32</u>	<u>\$2,409,944.47</u>

FEDERAL FUNDS

Vocational Education.....	\$ 1,152.50	\$ 180,564.38	
George Reed Fund.....	874.59	58,628.16	
Morrell Fund.....		50,000.00	
	<u>\$ 2,027.09</u>	<u>\$ 289,192.54</u>	<u>\$ 291,219.53</u>

GENERAL FUND—EDUCATIONAL APPROPRIATION

	Disbursements Oct. 1st, 1931 Sept. 30th, 1932 Inclusive Previous Year	Disbursements Oct. 1st, 1931 Sept. 30th, 1932 Inclusive Current Year	Total
Alabama College.....	\$ 27,740.00	\$ 34,963.32	
Alabama Polytechnic Inst.....	101,445.00	30,280.00	
University.....	57,875.00	27,000.00	
Normal Schools.....	49,750.00	12,000.00	
Southern Industrial Inst.....		2,500.00	
Secondary Agr. Schools.....	20,625.00	20,625.00	
School Trades & Industries.....	2,500.00	5,000.00	
Sub Agricultural Station.....	15,625.00		
Certificate & Placement of Teachers.....	2,052.06	23,045.66	
Clarke Co. Interest Fund.....		600.00	
County High Schools.....	255.32	84,768.16	
Demonstration Farms.....	7,875.00	7,875.00	
Educational Contingent Fund.....	17.34	4,066.46	
Erecting and Repairing Rural Schools.....	13,927.42	18,831.63	
Industrial Rehabilitation.....	143.26	20,556.23	
Library Fund.....	265.16	1,689.84	
Removal of Illiteracy.....	14.68	12,429.98	
Service for the Blind.....	272.56	6,678.55	
Supt. of Education.....	500.00	5,000.00	
State Board of Education.....	1,403.72	16,058.89	
Vocational Education.....	55.50	77,081.01	
World War Scholarship.....		503.91	
A. & M. Institute.....	3,750.00		
	<u>\$306,092.02</u>	<u>\$411,553.64</u>	<u>\$717,645.66</u>

RECAPITULATION—1931-1932

RECEIPTS

Recapitulation		
General Education Fund.....	\$3,662,928.64	
Alabama Education Trust Fund.....	1,885,574.54	
Federal Funds.....	291,122.50	\$5,839,625.68

DISBURSEMENTS

General Education Fund.....	\$3,599,175.84	
Alabama Education Trust Fund.....	2,409,944.47	
Federal Funds.....	291,219.53	
General Fund, Educational Appropriation.....	717,645.66	\$7,017,985.50

RECAPITULATION FOR TWO YEARS
1930-1931—1931-1932

General Education Fund.....	\$3,702,954.69	\$1,319,040.55
General Education Fund.....	3,662,928.64	3,599,175.84
Plus Certificated Warrants 1930-1931.....		3,225,096.01
		<u>\$8,143,312.40</u>

Less Certificated Warrants Paid 1931-1932.....		672,644.34
	7,365,883.33	7,470,668.06
Alabama Education Trust Funds.....	2,060,134.99	1,318,725.03
Alabama Education Trust Funds.....	1,885,574.54	2,409,944.47
	3,945,709.53	3,728,669.50
Less Collection May 1930 certified into Treasury Oct. 1, 1930.....	337,000.00	
	3,608,709.53	3,728,669.50
Plus Certificated Warrants 1930-1931.....		603,084.30
	3,608,709.53	4,331,753.80
Federal Funds.....	261,537.53	264,785.17
Federal Funds.....	291,122.50	291,219.53
	552,660.03	556,004.70
General Fund, Education Appropriation.....		1,496,431.46
General Fund, Education Appropriation.....		717,645.66
		2,214,077.12
Plus Certificated Warrants 1930-1931.....		522,685.83
		2,736,762.95

TREASURER'S REPORT AND ORDERED TO PRINT

On motion of Mr. Bonner, the foregoing report from the State Treasury S. H. Blan was ordered spread upon the Journal and 200 copies thereof printed for use of the Senate.

CALENDAR BILL RE-REFERRED

On motion of Mr. Hooton, the bill:

S. 263. To amend an Act entitled, "An Act to authorize and create an additional Judge of the Fifth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, and to provide for the salary of said Judge", as approved September 26th, 1923, General Acts of Alabama, pages 387-388.

Was taken from today's calendar and re-referred to the Standing Committee on County and County Boundaries.

BILL INDEFINITELY POSTPONED

On motion of Mr. Bonner, the Senate indefinitely postponed further consideration of the bill:

S. 66. To reduce appropriations to each and every department or branch of the Alabama State Government; also to each and every college in Alabama, including the Alabama School of Trades and Industries.

DISCHARGE OF CONFERENCE COMMITTEE

Mr. Bonner moved that the Conference Committee of the Senate heretofore appointed on the disagreement of the two Houses on the Senate amendment to the bill:

H. 449. To require and levy an occupation, license or privilege tax on every person who is an official of the State of Alabama, or who is employed by the State of Alabama, or by any department, agency, commission, board or institution of the State of Alabama, or who is an official of any county of the State of Alabama or an employee of any county, or of any agency, board, or commission of said county, or who is an official or employee of any municipality or of any department, agency, commission, or board of any municipality, and whose compensation, either from salary or fees, exceeds the sum of \$1,200.00 per annum; to provide that the warrant, check or voucher for the payment of the salary of such official or employee shall be for the amount of the salary or compensation less the said tax and that where the compensation is by fees instead of salary the official or employee receiving such fees shall report the same and shall pay into the Treasury of the State, County or Municipality, the amount of the said tax, and to provide for the time of payment of such tax.

be discharged, which motion prevailed and said committee was discharged.

Mr. Teasley moved that the vote which said bill was passed, be re-considered, which motion prevailed and said vote was re-considered.

Mr. Teasley then moved that the vote by which said bill was ordered to an Engrossment and Third Reading be reconsidered, which motion prevailed and said vote was reconsidered.

Mr. Teasley then moved that the vote by which the Senate amendments to said bill were adopted be re-considered, which motion prevailed and said vote was re-considered.

Mr. Teasley then moved that said Senate amendments be laid on the table, which motion prevailed, and the amendments were tabled.

Said bill was again read a third time at length and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs.:

Beasley	Farmer	Hubbard	Powell
Bonner	Fletcher	Jordan	Shepherd
Brown	Garrett	Kelley	Teasley
Cooper	Goodwin	Lapsley	Walker
Cowart	Hildreth	McDowell	Wikle
Edmundson	Hooton	Millsap	

—23

Nay: Mr. Warren.

—1

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:
By Mr. Givhan:

H. 663. To amend section 1, of "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the president of the State Board of Administration of Alabama and the chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama; "Approved August 31, 1927, to extend the authority, powers and duties of the Alabama Bridge Corporation, to authorize and provide for the repayment of the principal and interest of same, and to authorize said corporation to engage in and use its funds for the construction and maintenance of highways; and to amend the corporate certificate or charter of the Alabama Bridge Corporation to conform to the provisions of this Act.

Also:

By Mr. Bains:

H. 689. To Amend an Act, To Further regulate, provide for and require bonds of County officials and employes, and clerks, deputies and employes in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds when the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds. Approved October 22, 1932.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House bills in the foregoing House Message were several-ly read once and referred to appropriate standing committees as follows:

H. 663, to the Committee on Public Roads and Highways.

H. 689, to the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Swift:

H. 148. To amend an Act entitled "An Act to further regulate and provide for the erection, repair and equipment of rural school houses in the several counties of the State of Alabama; and to provide for the payment of debts incurred by county boards of education in the erection, repair and equipment of rural school houses out of the rural school house fund as now authorized by law," approved July 8, 1931.

Also:

By Mr. Robinson:

H. 167. To make it legal and binding for any person, who is an office holder in or of the State of Alabama, or any county or municipality thereof, or any person holding any civil office of profit under this State, or any county or municipality thereof, whose compensation, salary or fees is fixed by law for his service, and which compensation salary or fees cannot, or shall not be increased or diminished during the term for which he shall have been elected or appointed under the provisions of Sections 118, 150 or 281 of the Constitution of Alabama, to voluntarily diminish his compensation, salary or fees fixed by law; and to provide the manner and way in which such diminished compensation, salary or fees can be made legal and binding.

Also:

By Mr. Beebe:

H. 529. To permit State Banks having a capital of not less than Five Hundred Thousand Dollars, and located in municipalities having a population in excess of Fifty Thousand to establish, maintain and operate branch bank offices and facilities by and with the approval of the Superintendent of Banks.

Also:

By Mr. Beebe:

H. 633. To authorize and empower the governing bodies of the several counties of the State having jurisdiction of the construction and/or maintenance and repair of public roads and bridges of the county, where the salary and/or other compensation and/or expenses of the members of the such governing body, and/or of the clerk and/or attorney for such governing body, is paid out of the general fund of the County, to pay one-half of such salaries and/or other compensation and/or expenses out of any money raised or appropriated for the construction and/or maintenance and repair of public roads and bridges of such county.

Also:

By Mr. Taylor:

H. 700. To provide for the exemption from taxation of property owned by educational institutions located in the State of Alabama, the income therefrom to be used exclusively for educational purposes.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were several-ly read once and referred to appropriate standing committees as follows:

H. 148, to the Committee on Finance and Taxation.

House Bills 167 and 633, to the Committee on Judiciary.

H. 529, to the Committee on Banking and Insurance.

H. 700, to the Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has reconsidered and again passed:

S. 79. To provide for the special relief of J. A. Kizer by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

The Governor's veto to the contrary notwithstanding by a vote of a majority of the whole number elected to the House, said vote being yeas, 61; nays, 9.

And said bill together with the Governor's Message containing his objections to and veto of said bill are returned herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 49. To appropriate the sum of \$250.00 out of the general fund of the State to reimburse A. P. Smith for money collected from him through mistake or error.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teasley, the Senate concurred in the following amendment by the House to S. 49, the title of which is set out in the foregoing Message from the House to-wit:

To amend S. 49 by amending Section 1 of said bill so as to make said Section 1 as follows:

Section 1. That there is hereby appropriated out of the general fund of the State, the sum of \$120.00 for the relief of A. P. Smith. Said amount having been paid into the State Treasury by the said A. P. Smith by mistake or error.

And to further amend said bill by striking "\$250.00" from the caption and Section two of said bill and inserting in lieu thereof in both places "\$120.00".

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett
Brown
Craft
Darden
Edmundson

Farmer
Fletcher
Garrett
Goodwin
Hooton

Hubbard
Kelley
Lapsley
McDowell

Millsap
Powell
Walker
Warren

—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Stokes:

H. 137. To amend Section 779 of the Code of Alabama of 1923.

Also:

By Mr. Pitts:

H. 636. To amend Section 1201 of the Code of 1923.

Also:

By Mr. Parker:

H. 669. To authorize appropriations for paying salaries due school teachers for teaching school and for the support of the Public Schools out of any funds in the county treasury by the governing body of the several counties and to repeal all laws and parts of laws in conflict with this Act.

Also:

By Mr. Sossaman:

H. 697. To fix the compensation of Circuit Solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed, of one County having not less than three and not more than nine circuit judges and to provide the manner of payment of said compensation of said Solicitors and to fix the priority thereof.

Also:

By Mr. Culver:

H. 699. To provide that where two or more municipalities have consolidated or merged within one year prior to the passage of this Act, or may hereafter consolidate or merge, that in all cases

where State and County licenses are levied upon a population classification, for a period of two years after the passage of this Act, the licenses levied shall be computed and based upon the population of the municipality according to the last Federal Census in which the place where such business or occupation is carried on was located prior to such consolidation or merger.

Also:

H. 692. For relief of J. V. Walker: To reimburse or compensate him for money expended by him for injury sustained while performing his duty as an officer in Jefferson County, Alabama, not exceeding the sum of Two Thousand Dollars (\$2000.00) and provide for the payment thereof.

With notice and proof thereof attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given that the following bill will be introduced in the Legislature at its Special Session beginning August 16, 1932, and its passage applied for:

A BILL TO BE ENTITLED AN ACT

For the relief of J. V. Walker; To reimburse or compensate him for money expended by him for injury sustained while performing his duty as an Officer in Jefferson County, Alabama, not exceeding the sum of Two Thousand Dollars (\$2,000.00), and provide for the payment thereof.

Whereas, on January the 28th, 1926, while performing his duties as an Officer of the Law in Jefferson County, Alabama, J. V. Walker had his arm and leg broken, and has been put to much expense and loss of time, and now must have another operation, and is without money or other funds to defray the cost and expense thereof, and

Whereas, there is no provision of law whereby the County of Jefferson is authorized to expend any sum of money in his behalf although his expenses have or will exceed the sum of Two Thousand Dollars (\$2,000.00).

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commission of Jefferson County, Alabama, be and they are hereby directed to issue a voucher or warrant drawn upon the Treasurer of Jefferson County, Alabama, in the sum of Two Thousand Dollars (\$2,000.00) payable to the said J. V. Walker, which said sum the said County Treasurer will pay out of the general fund of said County not otherwise appropriated.

Section 2. That this act shall become effective immediately upon its passage and approval by the Governor.

AFFIDAVIT

State of Alabama, }
County of Jefferson. }

Before me, the undersigned authority, in and for the County and State, aforesaid, personally appeared Geo. M. Howle, who first being duly sworn says that he is the Publisher of The Weekly Call, a weekly newspaper published in said State and County; that the notice, a true copy of which is hereto attached, was published in The Weekly Call, once a week for four

consecutive weeks, commencing on the 20th day of August, 1932.

GEO. M. HOWLE.

Sworn to before me, and signed in my presence, this 24th day of October, 1932.

CLARICE BACHUS,
Notary Public.

Also:

By Mr. Taylor (notice and proof):

H. 696. To amend an Act approved April 5, 1911, entitled "An Act to authorize the Board known as The Mobile School Commissioners to become indebted in anticipation of income, for maintenance and operation of schools of Mobile County"; so as, by such Amendment, to enable the said Board of School Commissioners of Mobile County to pledge the current revenues of the year to secure such indebtedness incurred in anticipation of income.

With notice and proof thereto attached and herewith exhibited as follows:

To Whom It May Concern:

Notice is hereby given that at the Special Session of the Alabama Legislature, now in progress, a Bill will be introduced, the substance of which is set out below:

A BILL TO BE ENTITLED AN ACT

To amend an Act approved April 5, 1911, entitled "An Act to authorize the Board known as The Mobile School Commissioners to become indebted in anticipation of income, for maintenance and operation of schools of Mobile County;" so as, by such Amendment, to enable the said Board of School Commissioners of Mobile County to pledge the current revenues of the year to secure such indebtedness incurred in anticipation of income.

Be it enacted by the Legislature of Alabama, that the Act entitled "An Act to authorize the Board known as The Mobile School Commissioners to become indebted in anticipation of income, for maintenance and operation of schools of Mobile County," approved April 5, 1911, be amended so as to read as follows:

That the Board known as the Board of School Commissioners of Mobile County are hereby authorized and empowered to become indebted, whenever necessary for the maintenance and operation of the Public Schools under their administration, in such amount, not exceeding one-fourth of the annual income of the said Board in any one year, as may be necessary for the proper conduct and management of the affairs of the schools administered by the said Board. Such indebtedness may be secured by the pledge of the current revenues of the year, not already otherwise pledged; and must be repaid within twelve months from the creation thereof, out of the current funds of the Board.

J. G. McDonnell, being sworn, says that he is clerk of the Mobile Press Register, a daily newspaper published in the city of Mobile, state of Alabama; that the advertisement attached appeared in the issues of the Press on Sept. 29, Oct. 6, 13, 20, 1932.

J. G. McDONNELL.

Sworn to and subscribed to before me this 20th day of Oct., 1932.

CARL M. SMITH,
Notary Public.

(Seal)

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate standing committees as follows:

H. 137, to the Committee on Judiciary.

House Bills 636, 669, and 699 to the Committee on Finance and Taxation.

House Bills 697 and 696 to the Committee on Local Legislation.

H. 692 to the Committee on Banking and Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Goodwyn:

H. 394. To amend schedule 107 of section 361 of an Act "To provide for the general revenue of the State of Alabama", approved September 15, 1919.

Also:

By Mr. Miller:

H. 698. To amend Section 361, schedule 38½ of an Act approved September 15, 1919, entitled, an Act to provide for the general revenue of the State of Alabama, approved September 15, 1919.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate standing Committee as follows:

House Bills 394 and 698 to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

H. 531. To relieve all persons of any legal obligations to work public roads or streets in Blount County, Alabama.

Said Governor's Message being in words and figures as follows, to-wit:

To the Legislature of Alabama,
Montgomery, Alabama.
Gentlemen:

I am herewith returning to the House of Representatives, the body in which it originated, House Bill No. 531 without my approval. I suggest the following amendment, which, if made, will cause the bill to meet my approval.

Section 1 of said Act should be amended so as to read as follows:

"That all persons in Blount County, Alabama, be and they are hereby relieved of any legal obligation to work on the public roads or streets in said county, or to pay any money in lieu of such legal obligation to work on the public roads or streets in said county."

The amendment is suggested to meet what appears to be a clerical error and to carry out what the author of the bill evidently intended.

Respectfully,
B. M. MILLER,
Governor

October 27, 1932.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to said bill by a majority of the whole number elected to the House, said vote being yeas, 65; nays, 0.

And the House has again passed said bill, H. 531, as amended by the amendment proposed by His Excellency, the Governor, by a vote of a majority of the whole number elected to the House, said vote being yeas, 65; nays, 0.

And said bill together with the Message from the Governor containing his objections and proposed amendment are sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Cowart, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to H. 531, the title of which and said amendment is set out in the foregoing Message from the House.

Yeas, 30; nays, 0.

Yeas:
Messrs.:

Bartlett	Darden	Hubbard	Powell
Beasley	Delony	Jordan	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth		

—30

Which was a majority of the whole number elected to the Senate.

And said bill, as thus amended by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Brown	Edmundson	Jordan	Scruggs
Caffey	Farmer	Lapsley	Shepherd
Cooper	Faulk	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth		

—30

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 93. Relative to the adjournment of the two Houses until Teusday, Nov. 1, 1932.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

BILLS ON THIRD READING

The bill:

S. 278. To provide for the subordinate officers and employees of the Legislature, including the Senate and House of Representatives; to fix their positions, number, term of office, election or appointment, and how elected, selected or appointed; to fix the compensation of such subordinate officers and employees, and to provide how, when and upon what condition, and for what length of time such compensation is to be paid; to provide further that the Senate or House, either or both, has or have no authority by resolution or rule to change the number or compensation of such officers or employees, and that such can be done only by Legislative enactment in the form of a bill or Act of the Legislature; to repeal all laws, or parts of laws, in conflict with the provisions of this Act.

Was taken up.

Mr. Hooton moved that said bill be postponed until the 30th Legislative Day, which motion was lost.

Yeas, 7; nays, 16.

Yeas:

Messrs.:

Darden	Hooton	Mullins	Teasley
Duncan	Millsap	Scruggs	

— 7

Nays:

Messrs.:

Bartlett
Bonner
Cooper
CraftDelony
Edmundson
Farmer
FletcherGarrett
Jordan
Kelley
LapsleyMcDaniel
Powell
Walker
Warren

—16

PAIR ANNOUNCED

Mr. Hildreth announced that he and Mr. Hubbard were paired on this vote; that Mr. Hubbard, if present, would vote aye and he, Mr. Hildreth, would vote nay.

Mr. Scruggs offered the following amendment to said bill to-wit:

Amending S. 278 as follows: add the words "except the Secretary of Senate and Clerk of the House whose employment shall be controlled by the provisions of the Budget Finance Control Act" immediately following the words: "the employment and compensation of said subordinate officers and employees "and before the words; "shall not extend beyond" wherever said words appear together in Section 7 of said bill.

Which was adopted.

Yeas, 25; nays, 1.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Coward
Craft
DardenDelony
Duncan
Edmundson
Farmer
Fletcher
GarrettGoodwin
Hooton
Kelley
Lapsley
McDaniel
McDowellMillsap
Powell
Riddle
Scruggs
Shepherd
Walker

—25

Nay: Mr. Mullins

— 1

, PAIR ANNOUNCED

Mr. Hildreth announced that he and Mr. Hubbard were paired on this vote; that Mr. Hubbard, if present, would vote aye and he, Mr. Hildreth would vote nay.

And said bill, as thus amended, was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas, 25; nays, 5.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Cooper
Coward
CraftDarden
Delony
Edmundson
Farmer
Fletcher
GarrettHildreth
Hooton
Kelley
Lapsley
McDaniel
McDowellPowell
Riddle
Scruggs
Shepherd
Walker
Warren

—25

Nays:

Messrs.:

Duncan
Goodwin

Millsap

Mullins

Teasley

— 5

PAIR ANNOUNCED

Mr. Hildreth announced that he and Mr. Hubbard were paired on this vote; that Mr. Hubbard, if present, would vote nay and he, Mr. Hildreth would vote aye.

The bill:

S. 262. To further provide for the duties and compensation of tax assessors and of tax collectors in the assessment and collection of State and county taxes in any county of this State, the boundary lines of which have been altered or rearranged, or which may hereafter be altered or rearranged.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Caffey
Cooper
Coward
Craft
DardenDelony
Edmundson
Farmer
Fletcher
Garrett
Goodwin
Hildreth
HootonHubbard
Jordan
Kelley
Lapsley
McDaniel
McDowell
MillsapPowell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren

—30

The bill:

S. 286. To establish a county court in any county of this State, the boundary lines of which have been altered, or rearranged, and in which no county court is now established, and to prescribe the manner in which prosecutions for misdemeanors shall be begun, tried and determined therein, and appeals taken therefrom, and to fix the salary or compensation of the Judge and clerk thereof, and to repeal all laws, whether local, general or special, in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Caffey
Cooper
Coward
Craft
DardenDelony
Duncan
Farmer
Fletcher
Garrett
Goodwin
Hildreth
HootonHubbard
Jordan
Kelley
Lapsley
McDaniel
Millsap
MullinsPowell
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—30

H. 607. To provide, authorize and direct that all qualified electors who may reside in any territory which has been or may be detached from one County and added to another County of the State, to have their names added to the list of the qualified electors of the County to which they have been added, and direct the method thereof and provide compensation for the same to the Judges of Probate of the several Counties of the State.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Edmundson	Jordan	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Fletcher	McDaniel	Shepherd
Cooper	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

H. 619. To provide and authorize the State Superintendent of Education of Alabama, and the County Boards of Education of Alabama, to make apportionments of school funds, irrespective of the changes in boundary lines of adjoining counties in the State, provided said apportionments are made upon school census and enumerations which have been made and certified to, as provided by Law, prior to the rearrangement of boundary lines between adjoining counties.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Bonner	Edmundson	Jordan	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Garrett	McDaniel	Teasley
Cowart	Goodwin	McDowell	Warren
Craft	Hildreth	Millsap	Wikle
Darden	Hooton		

—30

H. 620. To provide that County Commissioners, Boards of Revenue or other like governing bodies of the counties of the State of Alabama, shall have the right and authority to alter and rearrange precinct or beat lines so as to include territory which has been detached from one County and added to an adjoining County of the State, or to create separate beats or precincts and voting districts in said territory which has been or may be added to a County and detached from an adjoining County.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Beasley	Duncan	Hubbard	Powell
Bonner	Edmundson	Kelley	Riddle
Brown	Farmer	Lapsley	Scruggs
Caffey	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

The bill:

H. 536. To create the office of Road Supervisor for Henry County, Alabama; to prescribe the qualifications, powers, authorities and duties of said Supervisor, to provide for his election and or appointment and the election and or appointment of his successor; to fix his term of office and salary and to require him to give surety bond.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to said bill to-wit:

Amend Section 1 of H. 536 so as to make the same read as follows:

Section 1. That there is hereby created in and for Henry County, Alabama, the office of County Road Supervisor which office shall be held and administered by a competent road builder, who shall be a qualified elector and resident of said County, and who shall be appointed by the Governor within thirty days after the passage and approval of this Act. That the term of office of said Road Supervisor so appointed shall expire on Monday after the second Tuesday in January, 1935, and when his successor is elected and qualified as hereinafter provided.

Amend Section 3 of H. 536 so as to make the same read as follows:

Section 3. That said County Road Supervisor shall have the general supervision and care of maintaining, repairing and improving the public roads and bridges of the County, and the building of new roads and bridges, when such new roads and bridges are established by the Court of County Commissioners of said County. Said Road Supervisor shall employ, and with the approval of the Court of County Commissioners, fix the compensation of, all overseers, workmen and laborers required for said work and shall, with the counsel, assistance and approval of said Court of County Commissioners, purchase all necessary road machinery, material, teams, tools, supplies and equipment as hereinafter provided, used in and about the work on the public roads and bridges of the County and he shall perform all such other duties relating to the maintenance, improvement or construction of highways and bridges as may be required of him by the general laws of the State or by the local laws of said County or by the Court of County Commission-

ers of said County. Said County Road Supervisor shall receive for his services the sum of Twelve Hundred (\$1200.00) Dollars annually, to be paid in equal monthly installments out of the gasoline tax fund or any other available funds of the County, upon warrants drawn by the Judge of Probate, and in addition thereto, shall be provided by said Court of County Commissioners with necessary means of transportation to enable him to discharge the duties of his office.

Amend Section 5 of H. 536 by adding at end thereof the following:

That in all purchases or contract to purchase any road materials, teams, tools, machinery, supplies or equipment or any contract for construction, maintenance or repair of any bridge or road in said county is to be let, if the amount involved or the value thereof is less than \$50.00, it shall be the duty of the County Road Supervisor to make and file with the Court of County Commissioners a sworn itemized statement showing all expenditures so made and the name of each person, firm or corporation receiving any funds so expended for such purchase so made or contract to let.

Amend Section 6 H. 536 by having the same read as follows:

Section 6. That it shall be the duty of said Road Supervisor to keep and maintain teams, tools, road machinery, workmen, and laborers and all necessary means for carrying on the work of maintaining, repairing, constructing and improving the roads and bridges of the County, in each of the four Commissioner's Districts of the County, at the same time that similar work is being done and performed in the other Commissioners Districts of the County the expense and costs of all such work to be paid for out of the funds apportioned to each of such Commissioners Districts by the Court of County Commissioners of Henry County.

Amend Section 9 of H. 536 so as to have same read as follows:

Section 9. That the provisions of this Act shall take effect on and after the first day of January, 1933.

Which was adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett

Beasley

Brown

Caffey

Cooper

Craft

Darden

Delony

Edmundson

Farmer

Faulk

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Jordan

Kelley

Lapsley

McDaniel

McDowell

Millsap

Powell

Riddle

Scruggs

Shepherd

Teasley

Walker

Warren

—30

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Edmundson	Hubbard	Powell
Beasley	Farmer	Kelley	Riddle
Brown	Faulk	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

The bill:

H. 537. To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines of such Districts by showing the beats composing each of such Districts; to provide for the election of one Commissioner from each of said Districts, to fix their terms of office; to prescribe their qualifications, powers and duties; to fix their salaries, terms of office and filling of vacancies; to fix the date of their election; to require said Commissioners to give bond; and to further prescribe the powers, and duties of said Commissioners Court.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to said bill to-wit:

Amend Section 3 of H. 537 so as to make the same read as follows:

SECTION 3.—That whenever the County Road Supervisor, as required by law, has given notice by Registered Mail, with return receipt requested or as otherwise required by law, of any contemplated purchase or purchases of road or bridge materials, teams, tools, machinery, supplies or equipment, or any contract or contracts to be let, and has filed the same with the Commissioners Court, it shall be the duty of said Court to receive and make such notice or notices, together with such return receipt, a part of the minutes of the Court of County Commissioners of Henry County.

Amend Section 5 of H. 537 so as to make the same read as follows:

SECTION 5.—That the compensation of each of said Commissioners shall be Three Hundred and Sixty (\$360.00) per annum, to be paid in equal monthly installments, out of the general funds of the County, on warrants drawn by the Probate Judge and such compensation shall not be more than the sum herein stated.

Amend Section 8 of H. 537 so as to make the same read as follows:

SECTION 8.—That the provisions of this Act shall take effect on and after the 1st day of January, 1933.

Which was adopted.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Scruggs
Bonner	Edmundson	Jordan	Shepherd
Brown	Farmer	Lapsley	Teasley
Cooper	Faulk	McDaniel	Walker
Cowart	Fletcher	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden	Hildreth		

—30

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Teasley
Cooper	Faulk	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden	Hildreth		

—30

H. 251. To permit the use, hire or letting of convict labor, state and/or county, for use in the construction or maintenance of drains, outlets for drains and/or reopening of any filled or partly filled drains and/or for the construction or maintenance of any levees in connection with drains, established or constructed now or that may be hereafter established or constructed under the provisions of present or future enacted general laws relating to drainage districts incorporated to promote public health and general welfare: And to provide ways and means of affecting such use, hiring or letting and methods of effecting such results.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Darden	Goodwin	Riddle
Bonner	Delony	Kelley	Shepherd
Brown	Duncan	McDowell	Walker
Cooper	Edmundson	Mullins	Warren
Craft	Garrett		

—18

PAIR ANNOUNCED

Mr. Faulk announced that he and Mr. Hubbard were paired on this vote; that Mr. Hubbard, if present, would vote aye and he, Mr. Faulk, would vote nay.

H. 666. To provide for a change of venue in actions pending in any court at the time of a transfer of a portion of the territory of one county to another county, by change of boundary line or otherwise, and to provide for payment of costs in such actions.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Edmundson	Hubbard	Powell
Beasley	Farmer	Jordan	Riddle
Brown	Faulk	Kelley	Scruggs
Caffey	Fletcher	McDaniel	Shepherd
Cooper	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

—30

H. 452. To relieve the tax assessor of Coffee County, Alabama, from the duty of preparing a book of assessments, as is now required by General Law, and in lieu thereof to provide that the original assessment lists or sheets shall be permanently bound and kept as a permanent record; and to provide that tax collector's abstracts shall be made from said assessments sheets so bound.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Mullins
Beasley	Duncan	Jordan	Powell
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Hildreth	Millsap	Warren
Darden	Hooton		

—30

S. 282. To provide that in all judicial circuits of the State of Alabama having a population of more than 300,000 according to the last or any subsequent Federal Census, that each of the counties in said circuit supplement the salaries paid by the State of Alabama to each of said Circuit Judges and fixing the amount of such supplementary compensation and repealing all laws in conflict herewith, and all laws heretofore enacted supplementing such salaries.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Jordan	Powell
Beasley	Edmundson	Kelley	Riddle
Brown	Farmer	Lapsley	Scruggs
Cooper	Fletcher	McDaniel	Shepherd
Cowart	Garrett	McDowell	Teasley
Craft	Goodwin	Millsap	Walker
Darden	Hildreth	Mullins	Warren
Delony	Hooton		

—30

S. 283. To fix the compensation or salaries of judges of probate of the State of Alabama in counties having more than three hundred thousand population according to the last or any subsequent Federal Census and to provide for the method, basis and payment of such compensation and to fix the date that this Act goes into effect.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Powell
Beasley	Edmundson	Jordan	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden	Hooton		

—30

S. 284. To fix the compensation or salaries of the Circuit Clerks of the State of Alabama in all counties having more than three hundred thousand population according to the last or any subsequent Federal Census, and to provide for the method, basis and payment of such compensation and to fix the date that this Act goes into effect.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Beasley	Edmundson	Jordan	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Walker
Craft	Garrett	McDowell	Warren
Darden	Hildreth	Millsap	Wikle
Delony	Hooton		

—30

S. 285. To fix the compensation or salaries of sheriffs of the State of Alabama in counties having more than three hundred thousand population according to the last or any subsequent Federal census and to provide for the method, basis and payment of such compensation and to fix the date that this Act goes into effect.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hubbard	Powell
Brown	Edmundson	Jordan	Riddle
Caffey	Farmer	Lapsley	Scruggs
Cooper	Fletcher	McDaniel	Shepherd
Cowart	Garrett	McDowell	Teasley
Craft	Goodwin	Millsap	Walker
Darden	Hildreth	Mullins	Wikle
Delony	Hooton		

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BILL INDEFINITELY POSTPONED

On motion of Mr. Teasley, the Senate indefinitely postponed further consideration of the bill:

S. 243. To permit the use, hire or letting of convict labor, State and/or county, for use in the construction or maintenance of drains, outlets for drains and/or reopening of any filled or partly filled drains and/or for the construction or maintenance of any levees in connection with drains, established or constructed now or that may be hereafter established or constructed under the provisions of present or future enacted general laws relating to drainage districts incorporated to promote public health and general welfare: and to provide ways and means of effecting such use, hiring or letting and methods of effecting such results.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bills and ordered same sent forthwith to the Senate without engrossment:

By Mr. Kelly of Conecuh:

H. 259. To provide that purchasers, lien holders or mortgagees of real estate or personal property may discharge tax liens against such real estate or personal property purchased or on which a lien or mortgage is held by paying the actual amount of taxes due on such real estate or personal property in certain cases, without paying the entire amount of taxes due by the person or corporation to whom such real estate or personal property is assessed; and to provide for the repeal of all laws or parts of laws in conflict herewith.

Also:

By Mr. McGowin:

H. 341. To amend Section 363 of an Act entitled "An Act to provide for the general revenue of the State of Alabama", approved September 15th, 1919.

Also:

By Mr. Ward and Glover of Henry (notice and proof):

H. 641. To regulate issuance of warrants for arrest returnable for trial before the County Court of Henry County in the State of Alabama, repealing all laws and parts of laws in conflict with this Act and fixing date for this Act to take effect.

With notice and proof thereto attached and herewith exhibited as follows:

PUBLICATION AFFIDAVIT.

State of Alabama }
Henry County }

Before me, H. W. Owens, Judge of Probate, in and for said County, in the State of Alabama, personally appeared R. M. Fuller, who, on oath, deposes and says, as follows:

That he is editor and publisher of The Abbeville Herald, a newspaper published weekly in the City of Abbeville, in said County; and,

That there was published in said paper for four consecutive weeks, on dates, viz., Sept. 15th, 22nd, and 29th, and Oct. 6th, 1932, the following notice, towit:

"NOTICE"

Notice is hereby given of intention to apply to the present extra session of the Legislature of the State of Alabama, for a local law for the County of Henry, in said State, which law is recommended by the Commissioners County Court of said County, the caption of which is, towit: —

AN ACT

To Regulate Issuance of Warrants for Arrest Returnable for Trial Before the County Court of Henry County in the State of Alabama, Repealing All Laws and Parts of Laws In Conflict With This Act and Fixing Date for This Act to Take Effect.

Witness My Hand This 13th Day of Sept. 1932.

H. W. OWENS,
Probate Judge, Henry County, Alabama."
R. M. FULLER,
Editor and Publisher.

Sworn to and subscribed before me, at Abbeville, in said County, this the 7 day of October, 1932.

H. W. OWENS,
Judge of Probate.

By Mr. Glover (of Henry) (notice and proof):

H. 691. To provide that in the County of Henry, Alabama, the sheets or lists whereon are entered assessments of property for ad valorem taxation shall alphabetically by beats be substantially bound and labeled and serve in lieu of the books of assessments required by general law of Alabama, and from said sheets so bound a recapitulation thereof shall be made showing names of tax payers and aggregates of property assessed and taxes thereon, repealing all laws and parts of laws conflicting herewith and fixing date for this Act to become effective.

With notice and proof thereto attached and herewith exhibited as follows:

State of Alabama }
Henry County }

Before me, H. W. Owens, Judge of Probate, in and for said county, in the State of Alabama, personally appeared R. M. Fuller, who, on oath, deposes and says, as follows:

That he is editor and publisher of The Abbeville Herald, a newspaper published in the City of Abbeville, in said County, weekly; and,

That there was published in said paper for four consecutive weeks, on dates, viz., September 29th, October 6th, 13th and 20th, 1932, the following notice, to-wit:

"NOTICE"

Is hereby given of intention to apply to the Legislature of Alabama for a local act for Henry County, in said State, recommended by the Commissioners Court of said County, of which the following is the caption, to-wit:

"AN ACT"

To provide that in the county of Henry, Alabama, the sheets or lists whereon are entered assessments of property for ad valorem taxation shall alphabetically by beats be substantially bound and labeled and serve in lieu of the books of assessments required by general law of Alabama, and from said sheets so bound a recapitulation thereof shall be made showing names of tax payers and aggregates of property assessed and taxes thereon, repealing all laws and parts of laws conflicting herewith and fixing date for this act to become effective.

Witness my hand this the 28th day of September, 1932.

H. W. OWENS,
Judge of Probate of Said County."
R. M. FULLER,
Editor and Publisher.

Sworn to and subscribed before me, at Abbeville, in said County, this the 21st day of October, 1932.

H. W. OWENS,
Judge of Probate.

By Mr. Bradford (of Jefferson):

H. 506. To advance the cause of education by exempting from taxation in this State all property, real and personal, owned by any Fraternal Organization, and whether assessed or not, during the entire time, including the current tax-year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes in the State of Alabama other than for schools owned or controlled by any religious sect or denomination.

And sends same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

The House Bills in the foregoing House Message were severally read once and referred to appropriate standing committees as follows:

H. 259, to the Committee on Judiciary.

House Bills 341 and 506, to the Committee on Finance and Taxation.

House Bills 641 and 691, to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 191. To amend Section 240 of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

ORDER TO PRINT

On motion of Mr. Lapsley, 300 copies of each of the following bills were ordered printed for use of the Senate:

H. 390. To make appropriations for the ordinary expenses of the executive, Legislative and Judicial Departments of the State for interest on the public debt and for the public schools, annually, for the fiscal years ending the thirtieth day of September, 1933, 1934 and 1935.

Also:

H. 392. To provide for the issuance of registered warrants in exchange for State warrants which were outstanding and unpaid on September 30th, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability, including, inter alia, exemption from taxation, eligibility for investments and depositary requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments shall not be subject to reduction under Act No. 37, approved September 27, 1932.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Scruggs, the Senate indefinitely postponed all Senate bills remaining on the calendar, to-wit:

S. 160. To amend Section 8418 of the Code of Alabama of 1923.

Also:

S. 271. To amend Section 1490, Code of Alabama, 1923.

Also:

S. 253. Further to provide for the purchase, construction and improvement of waterworks systems in cities, villages and incorporated towns in the State of Alabama, and to provide for the issuance of revenue bonds payable solely out of the revenues derived

therefrom, and to provide for the operation of such systems in case of deficiencies in revenue.

Also:

S. 233. To amend Section 1201 of the Code of 1923. Appropriation for sick and wounded.

Also:

S. 252. To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby and a lien against such premises.

Also:

S. 279. To provide for the issuance of registered warrants in exchange for State warrants which were outstanding and unpaid on September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability, including, inter alia, exemption from taxation, eligibility for investments and depositary requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments shall not be subject to reduction under Act No. 37, approved September 27, 1932.

Also:

S. 281. To provide that where two or more municipalities have consolidated or merged within one year prior to the passage of this Act, or may hereafter consolidate or merge, that in all cases where State and County licenses are levied upon a population classification, for a period of two years after the passage of this Act, the licenses levied shall be computed and based upon the population of the municipality according to the last Federal Census in which the place where such business or occupation is carried on was located prior to such consolidation or merger.

Also:

S. 234. For the relief of Mobile County, requiring the State of Alabama to take over the title to, the possession of, the upkeep and

maintenance of Mobile County Highway Improvement No. 11, consisting of that portion of Telegraph Road from Three Mile Creek to Chickasaw, and described as commencing at the intersection of the present Telegraph Road with the South Bank of Three Mile Creek and running thence northwestwardly following the present location of the Telegraph Road through the town of Plateau and commencing with the Craft Highway (State Highway No. 5) at Chickasaw, Alabama, a total distance of 3.5 miles; Mobile County Highway Improvement No. 12, known as the Bay Bridge Approach, and described as commencing at the intersection of the Telegraph Road and the Prichard Road at a point on the Telegraph Road approximately one-half mile north of Three Mile Creek and following the paved roadway east a distance of approximately one-quarter mile, crossing the Southern Railroad on a concrete viaduct; at this point continued eastwardly following a double paved roadway a distance of approximately three quarters of a mile to the west end of the Cochrane Bridge; also an additional roadway described as follows: Beginning at the west end of the double paved roadway above described and running southwestwardly following a paved roadway to an intersection with the Telegraph Road at a point 250 feet north of Three Mile Creek, a total distance of 1.5 miles; Mobile County Highway Improvement No. 13, known as the Mount Vernon-Citronelle Road, commencing at an intersection with the Craft Highway at Mount Vernon known as State Highway No. 5 at a point near Curry's Drug Store and running westwardly through the following sections in Township 2, North Range 1 west, 36-26-27-28-21-20 and 19; also through the following sections in Township 2 north, Range 2 west, 24-13, 14, 23, 22, 21, 28, 29 and 30 to an intersection with the City Limits of the town of Citronelle in Section 30, Township 2 north, Range 2 west, a total distance of 14.25 miles; Mobile County Highway Improvement No. 14, known locally as the Prine Road and described as commencing at the point where Main Street in Citronelle intersects the Western City Limits of the town of Citronelle and extending westwardly through the following sections in Township 2 north, Range 3 west, 35 and 34 and through the following sections in Township 1 north, Range 3 west, 3, 4, 9, 8, 15, 14, 19 and through the following sections in Township 1, north, Range 4 west, 24 and 23 to an intersection with the Lott Road near the center of Section 23, Township 1 north, Range 4 west, a total distance of 8 miles; and to require the State of Alabama to reimburse Mobile County for the full amount of the money expended by Mobile County in the construction of the said roads

REPORT OF SECRETARY

To the Senate:

Pursuant to the provisions of Joint Rule No. 5 of the Senate and House, I respectfully report the following Senate bills and

Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. 195. To further regulate the distribution of funds of Building and Loan Associations.

Delivered to the Governor October 21, 1932, at 10:45 A. M.

Also:

S. 202. To fix the compensation or salary to be paid the Tax Assessor of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistance and other expenses in said office of the Tax Assessor of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter authorized to be collected by said official and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Assessor of Tuscaloosa County and the clerks, deputies, and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such Tax Assessor, and to prescribe when this Act shall go into effect.

Delivered to the Governor October 21, 1932, at 10:45 A. M.

Also:

S. 203. To fix the compensation or salary to be paid the Judge of Probate of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide clerical assistance and other expenses in the Probate Office of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter collected by said official and to pay same into the County treasury; to provide for the payment of the salary or compensation of said official and the clerical assistants, and other office expenses out of said funds of the County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such officer, and to prescribe when said Act shall go into effect.

Delivered to the Governor October 21, 1932, at 10:45 A. M.

Also:

S. 204. To fix the compensation or salary to be paid the Tax Collector of Tuscaloosa County, Alabama, and to regulate the payment of the same; to provide for compensation of clerks, deputies, clerical assistance and other expenses in said office of the Tax Collector of Tuscaloosa County, Alabama, and to require said official to collect all the fees, compensations and allowances heretofore or hereafter authorized to be collected by said official and to pay same into the County Treasury of Tuscaloosa County; to provide for the payment of the salary or compensation of said Tax Collector of

Tuscaloosa County, and the clerks, deputies and other clerical assistants and other office expenses out of the funds of Tuscaloosa County, and to provide rules and regulations for the conduct and operation of such officer made necessary by changing the method and basis of compensation of such Tax Collector, and to prescribe when this said Act shall go into effect.

Delivered to the Governor October 21, 1932, at 10:45 A. M.

Also:

S. 181. To abolish the office of Deputy Solicitor and the office of Assistant Circuit Solicitor in and for the Twenty-third Judicial Circuit composed of Madison County, and to repeal all laws, general, special or local, in conflict with the provisions of this Act, insofar as they relate to Madison County, Alabama.

Delivered to the Governor October 25, 1932, at 11:25 A. M.

Also:

S. 182. To amend an Act, approved April 4, 1911, entitled: "An Act to establish in Precinct One, in Madison County, Alabama, an Inferior Court in lieu of all Justices of the Peace and notaries public with the power of the Justices of the Peace, in said Precinct, to be known as the Inferior Court of Huntsville, to define the jurisdiction and powers of said Court and the Judge thereof," as amended by Local Act of the Legislature of Alabama, approved July 27, 1923, and as amended by Local Act of the Legislature of Alabama, approved March 2, 1931, by amending Section 23 of said amended Act.

Delivered to the Governor October 25, 1932, at 11:25 A. M.

Also:

S. 196. To amend Section 1 of an Act entitled: "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration of Alabama and the Chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches, for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama," approved August 31, 1927.

Delivered to the Governor October 25, 1932, at 11:25 A. M.

Also:

S. 197. To provide for the leasing to the State Highway Department of the State of Alabama by the Alabama State Bridge Corporation of all of the bridges and other property now owned by the Alabama State Bridge Corporation; to provide the method

and manner of execution of said lease and the future use of said property, and to make an appropriation therefor.

Delivered to the Governor October 25, 1932, at 11:25 A. M.

Also:

S. 40. To amend Section 217 of the Alabama School Code of 1927.

Delivered to the Governor October 25, 1932, at 4:30 P. M.

Also:

S. 65. Making the purchase, or receiving for sale, or in pledge, or on storage, or for safe keeping from unauthorized persons of railroad equipment or of articles of iron, brass, or other metal manufactured exclusively for railroad purposes a misdemeanor, and prescribing the penalty therefor, and providing what shall constitute prima facie evidence of this Act.

Delivered to the Governor October 25, 1932, at 4:30 P. M.

Also:

S. 79. To provide for the special relief of J. A. Kizer by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

Delivered to the Governor October 25, 1932, at 4:30 P. M.

Also:

S. 125. To encourage the building of bridges, causeways and other development work and relief work upon and abutting on tide lands, the title to or control of which may now or hereafter be vested in the State of Alabama, which shall not have been improved by or under valid public authority and shall not be otherwise devoted to public use, by authorizing the improvement and use thereof and of the abutting submerged lands so improved, and the vesting of title thereto in owners of the abutting riparian land, under and subject to the conditions and approval stated in the act.

Delivered to the Governor October 25, 1932, at 4:30 P. M.

Also:

S. 227. To permit certain amusements, recreations and entertainments to be furnished and engaged in on Sunday in cities of this state whose population is not less than 30,000 nor more than 40,000 according to the last or any subsequent Federal Census or in cities which have since the 1930 Federal Census been merged or consolidated and the combined population of such cities after such merger is not less than 30,000 nor more than 40,000 and known as "Class D" cities.

Delivered to the Governor October 25, 1932, at 4:30 P. M.

Also:

S. 22. For the relief of the National Life and Accident Insurance Company, Inc., a corporation, and for the appropriation to it of Five Thousand Seven Hundred Sixteen Dollars and Twenty-two Cents (\$5,716.22), excess taxes collected from it by the Insurance Department.

Delivered to the Governor October 27, 1932, at 3:45 P. M.

Also:

S. 136. To relieve Tax Assessors in all counties in Alabama which now have, or which may hereafter have a population of not less than Fifty Five Thousand and not more than Sixty Four Thousand Two Hundred according to the last Federal Census, or any such census which may be taken hereafter, from the duty of preparing a book of assessments, and in lieu thereof to arrange in alphabetical order the original lists and have same permanently bound and kept as a permanent record and prepare tax collectors abstracts from said assessment lists.

Delivered to the Governor October 27, 1932, at 3:45 P. M.

Also:

S. 144. To amend Section Three (3) of An Act, Entitled An Act to provide for the election of a County Superintendent of Education of Coosa County, Alabama, to fix his term of office, to prescribe his salary and provide for the manner of payment of the same; to define his qualifications, powers and duties and to provide that women who meet the requirements of this Act are eligible to nomination and election to the office of County Superintendent of Education, of Coosa County, Alabama; to provide for the election of his successor in office and to provide for his removal by the County Board of Education for good cause, approved August 9th, 1927, Local Acts of Alabama, page 127, 1927.

Delivered to the Governor October 27, 1932, at 3:45 P. M.

Also:

S. 148. To amend Section 370 of the Code of Alabama.

Delivered to the Governor October 27, 1932, at 3:45 P. M.

Also:

S. 184. To abolish the office of County Solicitor of Coosa County, Alabama, and to create in lieu thereof the office of County Attorney; to define the qualifications and duties of County Attorney of Coosa County, Alabama; to provide for his election or appointment; to provide for the salary of the County Attorney and the manner of paying the same; to prescribe his term of office and for his removal from office and for the filling of the vacancy in said office.

Delivered to the Governor October 27, 1932, at 3:45 P. M.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and, on motion of Mr. McDowell, said report was concurred in and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Twenty-eighth Legislative Day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Respectfully submitted,

Hubert Farmer,
Chairman.

COMMITTEE REPORT

On motion of Mr. Farmer, the foregoing report was concurred in and the Journal of the Senate for the Twenty-eight Legislative Day, approved.

ADJOURNMENT

At 1:50 P. M., on motion of Mr. Cooper and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, November 1st, 1932, at 11 A. M.

 TWENTY-NINTH DAY

Tuesday, November 1st, 1932.

The Senate met pursuant to adjournment, Lieutenant-Governor Merrill, presiding.

PRAYER

By Rev. H. G. Earnest, Doorkeeper of the Senate.

ROLL CALL

Present:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

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JOURNAL

On motion of Mr. Hubbard, the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

REPORTS OF COMMITTEES

Mr. Teasley, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Glover of Elmore:

H. 92. To appropriate the sum of \$160.00 to be paid to S. B. Reneau of Elmore County, Alabama as compensation for damages sustained by him on the 11th day of November, 1927.

By Mr. Glover of Elmore:

H. 95. For the relief of J. D. Richardson and to appropriate for the said J. D. Richardson the sum of \$1,250.00, by reason of personal injuries and the permanent loss of the use of an arm sustained by him when eleven prisoners confined in the penitentiary at Speigner, Alabama, made a desperate effort to escape and two of them did escape on March 21, 1930, shooting their way to liberty and injuring the said J. D. Richardson, by shooting him, the said J. D. Richardson being then and there a guard at said penitentiary and an employee of the Board of Administration of Alabama.

By Mr. Glover of Elmore:

H. 97. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of \$140.00 for the relief of Thornhill Hardware Company, a partnership, composed of Sam H. Thornhill, Garie L. Thornhill and C. E. Weldon, on account of an error being made by said Thornhill Hardware Company in placing a bid with the State Board of Administration of Alabama to furnish said Board of Administration with one ton of dynamite, said bid being for the sum of \$170.00 and the ton of dynamite being delivered during the month of August, 1930 to said Board at and for the sum of \$170.00 when in fact it was intended that said bid be for \$340.00; the \$140.00 provided herein for the relief of said Thornhill Hardware Company will cause said company to receive the same as the lowest bid offered said Board of Administration for the delivery of said ton of dynamite.

By Mr. Swift:

H. 148. To amend an Act entitled "An Act to further regulate and provide for the erection, repair and equipment of rural school houses in the several counties of the State of Alabama; and to provide for the payment of debts incurred by county boards of education in the erection, repair and equipment of rural school houses out of the rural school house fund as now authorized by law," approved July 8, 1931.

By Mr. Lee of Coffee:

H. 256. To provide for the relief of Mrs. Pauline Fralish, the widow of Ewell Fralish, deceased, and for the dependent minor child of the said Ewell Fralish, deceased.

By Mr. Glover of Henry:

H. 263. To provide for the relief of Mrs. Ida V. Davis, the widow of T. J. Davis, deceased, and for the dependent minor children of the said T. J. Davis, deceased.

By Mr. Ware:

H. 301. To authorize and provide for the payment of the sum of Five Thousand (\$5,000.00) Dollars to W. J. Adamson, Administrator of the Estate of William E. Adamson, for the relief of the estate of William E. Adamson, deceased, who was killed on the 15th day of October 1931, as a result of a wreck at a creek near Wadley, Randolph County, Alabama, caused by the failure of the Alabama Highway Department to properly mark the detours at or near said creek.

By Mr. Glover of Elmore:

H. 302. For the relief of S. L. Hawk and to appropriate for the relief of the said S. L. Hawk the sum of \$1,500.00, by reason of personal injuries and the permanent loss of the full use of his left leg sustained by him when a truck belonging to the State of Alabama and on which the said Hawk was riding turned upon its side at or near what was known as Camp B, Lineville, Clay County, Alabama on or about December 17, 1929, the said S. L. Hawk being then and there an employee of the State of Alabama as Wheeler Foreman and Convict Guard and acting within the line and scope of his duties as such employee.

By Mr. Fite:

H. 328. Pertaining to the apportionment of the Equalization Fund provided by the Legislature for the equalization of educational opportunities in the public schools of the State.

By Mr. McGowin:

H. 341. To amend Section 363 of an Act entitled "An Act to provide for the general revenue of the State of Alabama," approved September 15th, 1919.

By Mr. Glover of Elmore:

H. 342. For the relief of W. N. Nixon and to appropriate for the relief of the said W. N. Nixon the sum of \$200.00, by reason of personal injuries and the permanent loss of the full use of his left leg and the knee of his right leg sustained by him when he fell from near the top of the stairs of an unfinished shack on which he was a convict guard at the State Penitentiary at Speigner, Alabama in August, 1930, the said W. N. Nixon being then and there an employee of the State of Alabama as convict guard at the Cotton Mill, State Penitentiary, Speigner, Alabama and acting within the line and scope of his duties as such employee and said stairs had no banister or hand-railing to aid a person to ascend or descend same and said Nixon received such injuries without any fault or negligence on his part whatsoever.

By Mr. Goodwyn:

H. 384. To appropriate the sum of Twenty-five Hundred Dollars for the relief of Mrs. Myrtle Downey.

By Mr. Goodwyn:

H. 394. To amend Schedule 107 of Section 361 of an Act "To provide for the general Revenue of the State of Alabama", approved September 15, 1919.

By Mr. Sossaman (by request):

H. 441. To provide for the relief of Tom Bright, and to make appropriation therefor and to provide a commission to ascertain the amount of said relief.

By Mr. Yerby:

H. 485. To authorize and provide for the payment of the sum of \$2,000.00 for the relief of Mrs. Willie W. Edge of Blacksburg, Virginia, who sustained personal injuries while riding in an automobile on May 16th, 1931, as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama.

By Mr. Yerby:

H. 486. To authorize and provide for the payment of the sum of \$1,000.00 for the relief of Harvey A. Edge of Blacksburg, Virginia, whose automobile was damaged on May 16th, 1931 as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama; and who paid out for the treatment and care of his wife, who was injured as a result of said collision between said trailer and the car in which he and his wife were riding, a large sum of money to doctors, hospitals, nurses, and for drugs, board and other expenses.

By Mr. McGraw:

H. 576. To provide for the relief of Byron Lindsey and to make appropriation therefor.

By Mr. McGraw:

H. 577. To provide for the relief of W. H. Pope and to make appropriation therefor.

By Mr. McGraw:

H. 578. To provide for the relief of Harriett Clark Pope, and to make appropriation therefor.

By Mr. Taylor (with notice and proof):

H. 623. For the relief of Evie D'Olive and to appropriate for the said Evie D'Olive the sum of Three Thousand (\$3,000.00) Dollars by reason of the death of Walter S. D'Olive, caused as a result of the negligence of the State Docks Commission by leaving unprotected an electric steel or iron rail with which the said Walter S. D'Olive came in contact about to-wit the 20th day of June, 1928, causing his death, and at a place where he had a right to be; and authorizing, directing and requiring the said State Docks Commission to pay to her the sum of Three Thousand (\$3,000.00) Dol-

lars as a moral obligation owed by the said State Docks Commission to Evie D'Olive for the death of her husband.

By Mr. De Sear (with notice and proof):

H. 625. To pay the City of Marion for paving around the Perry County High School.

By Mr. McGraw:

H. 626. To provide for the relief of Pearce Templin and to make appropriation therefor.

By Mr. Pitts:

H. 636. To amend Section 1201 of the Code of 1923.

By Mr. Miller:

H. 698. To amend Section 361, schedule 38½ of an Act approved September 15, 1919, entitled, an Act to provide for the general revenue of the State of Alabama, approved September 15, 1919.

By Mr. Culver:

H. 699. To provide that where two or more municipalities have consolidated or merged within one year prior to the passage of this Act, or may hereafter consolidate or merge, that in all cases where State and County licenses are levied upon a population classification, for a period of two years after the passage of this Act, the licenses levied shall be computed and based upon the population of the municipality according to the last Federal Census in which the place where such business or occupation is carried on was located prior to such consolidation or merger.

By Mr. Green (with substitute):

H. 671. To enable the court of county commissioners, Board of Revenue, or other governing body in any county of Alabama to make other or further provision for the care of the poor and needy.

Mr. Edmundson, Chairman of the Standing Committee on Banking and Insurance, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Beebe:

H. 529. To permit State Banks having a capital of not less than Five Hundred Thousand Dollars, and located in municipalities having a population in excess of Fifty Thousand to establish, maintain and operate branch bank offices and facilities by and with the approval of the Superintendent of Banks.

By Mr. Robinson (by request) (with notice and proof):

H. 692. For the relief of J. V. Walker: To reimburse or compensate him for money expended by him for injury sustained while performing his duty as an officer in Jefferson County, Alabama, not exceeding the sum of Two Thousand Dollars (\$2000.00) and provide for the payment thereof.

Mr. Darden, Chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on

the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Sossaman:

H. 697. To fix the compensation of circuit solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed, of one county having not less than three and not more than nine circuit judges and to provide the manner of payment of said compensation of said Solicitors and to fix the priority thereof.

By Mr. Glover of Henry (with notice and proof):

H. 691. To provide that in the County of Henry, Alabama, the sheets or lists whereon are entered assessments of property for ad valorem taxation shall alphabetically by beats be substantially bound and labeled and serve in lieu of the books of assessments required by general law of Alabama, and from said sheets so bound a recapitulation thereof shall be made showing names of tax payers and aggregates of property assessed and taxes thereon, repealing all laws and parts of laws conflicting herewith and fixing date for this Act to become effective.

By Mr. Ward and Glover of Henry (with notice and proof):

H. 461. To regulate Issuance of warrants for arrest returnable for trial before the County court of Henry County in the State of Alabama, repealing all laws and parts of laws in conflict with this Act and fixing date for this Act to take effect.

By Mr. Taylor (with notice and proof):

H. 696. To amend an Act approved April 5, 1911, entitled "An Act to authorize the Board known as The Mobile School Commissioners to become indebted in anticipation of income, for maintenance and operation of schools of Mobile County"; so as, by such Amendment, to enable the said Board of School Commissioners of Mobile County to pledge the current revenues of the year to secure such indebtedness incurred in anticipation of income.

By Mr. Christopher (with notice and proof):

H. 672. To authorize and direct the Commissioners Court of Choctaw County, Alabama to appropriate out of the general funds of Choctaw County, Alabama, twenty-five hundred dollars during their first regular meeting or session after the passage of this bill and twenty-five hundred dollars during their regular meetings in each October thereafter, and to pay the said monies to The Treasurer or other custodians of the funds of Choctaw County, Alabama, and direct him to use said monies exclusively for the payment of registered witness tickets which have been or may hereafter be issued by legal authorities in Choctaw County, Alabama, and to further authorize and direct the said Commissioners Court of Choctaw County, Alabama, to issue interest bearing warrants to provide said monies, if not available otherwise out of the General

Fund, and to further provide conditions under which this law may become of no further force or effect.

Mr. Darden, Chairman of the Standing Committee on Local Legislation, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Mize (with notice and proof):

H. 628. To authorize and empower the County Board of Education of Tuscaloosa County, Alabama, to expend county school funds in aiding the Board of Revenue of Tuscaloosa County in the repair, equipment, maintenance, and improvement of the building in which the offices of the said Board of Education are or may be in the future located and to authorize the said Board of Education also to assist in the purchase of supplies and other necessities for the operation of the headquarters of the Board of Education.

Mr. Craft, Chairman of the Standing Committee on Public Roads and Highways, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Beebe:

H. 670. To impose an excise tax in addition to any and all other excise taxes now imposed by law on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, refining, storing, or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax; and for the examination of the books and records of any persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling, distributing, refining, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; providing a penalty for any false statements made in making reports to the State Tax Commission; providing for the distribution of the funds derived therefrom, and the use to which such funds may be put, and providing for the enforcement of this Act and fixing a penalty for violation of any of the provisions hereof.

By Mr. Givhan:

H. 663. To amend section 1, of "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the president of the State Board of Administration of Alabama and the chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of emi-

nent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama;" Approved August 31, 1927, to extend the authority, powers and duties of the Alabama Bridge Corporation, to authorize and provide for the repayment of the principal and interest of same, and to authorize said corporation to engage in and use its funds for the construction and maintenance of highways; and to amend the corporate certificate or charter of the Alabama Bridge Corporation to conform to the provisions of this Act.

ADVERSE REPORTS

Mr. Riddle, Chairman of the Standing Committee on County and County Boundaries, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were placed on the adverse calendar, to-wit:

By Mr. Ware:

H. 597. To repeal an Act approved September 26, 1923, entitled "An Act to authorize and create an additional judge of the Fifth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, and to provide for the salary of said Judge."

By Mr. Powell:

S. 263. To amend an Act entitled, "An Act to authorize and create an additional Judge of the Fifth Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications, to render him liable to all the pains and penalties of the other Circuit Judges of the State, and to provide for the salary of said Judge", as approved September 26th, 1923, General Acts of Alabama, pages 387-388.

By Mr. Beebe:

H. 249. To provide and create a Commission form of Government and to permit the adoption of the same in lieu of Courts of County Commissioners, Boards of Revenue and other governing bodies of the several counties, and in lieu of County Boards of Education and other like educational governing bodies of the several counties in the State which now have or may hereafter have a population of less than seventy-five thousand (75,000) people according to the last Federal Census, or any Federal Census hereafter taken, to be known as the County Commission, by a vote of the qualified electors of such counties; to provide the manner of calling and holding such elections; to prescribe and limit the duties, powers, juris-

diction, authority and privileges of such County Commission and of the members thereof, and the manner of the exercise of such duties, powers, jurisdiction, authority and privileges; to provide the members of such County Commission, their qualifications, the time and manner of their election, their terms of office and their compensation; and to abolish the Courts of County Commissioners, Boards of Revenue and other governing bodies of such counties, County Boards of Education and other like educational governing bodies of such counties when such Commission form of government is created and adopted; and to confer on the County Commission created and adopted under this Act and the members thereof all the duties, powers, jurisdiction, authority and privileges of the Courts of County Commissioners, Boards of Revenue and other governing bodies of such counties and of the members thereof, and of the County Boards of Education and other like educational governing bodies of such counties and the members thereof when such Commission form of government is created and adopted.

Mr. Teasley, Chairman of the Standing Committee on Finance and Taxation, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with an adverse report, and they were severally read a second time and placed on the adverse calendar, to-wit:

By Mr. Goode:

H. 390. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, for interest on the public Debt and for the public schools, annually, for the fiscal years ending the thirtieth day of September, 1933, 1934 and 1935.

By Mr. Bradford of Jefferson:

H. 506. To advance the cause of education by exempting from taxation in this State all property, real and personal, owned by any Fraternal Organization, and whether assessed or not, during the entire time, including the current tax-year, the net income, rents, and returns from which are used, or are to be used, exclusively for educational purposes in the State of Alabama other than for schools owned or controlled by any religious sect or denomination.

By Mr. Parker:

H. 669. To authorize appropriations for paying salaries due school teachers for teaching school and for the support of the public schools out of any funds in the county treasury by the governing body of the several counties and to repeal all laws and parts of laws in conflict with this Act.

The Rules Committee reported the following Senate Resolution:

S. R. 95. WHEREAS, charges of a grave and serious nature have been publicly made against Senator E. D. Jordan, representing the Sixth Senatorial District of Alabama, in this Legislature; and,

WHEREAS, the Senate of Alabama owes a duty to itself and at the same time owes a duty to Senator Jordan to investigate fully the charges that have been so publicly made and broadcasted throughout the State in the newspapers; and,

WHEREAS, the said referred to charges are of such a nature, as, under the Constitution and Statutes of this State, would probably authorize and justify removal or expulsion of said Senator Jordan in the event the charges were proved and substantiated.

NOW, THEREFORE, be it resolved by the Senate of Alabama that a hearing be set to investigate said matter on Wednesday, November 2nd, 1932, at ten o'clock A. M., in the Senate Chamber, said hearing to be before the Rules Committee of the Senate to which Committee meeting all Senators are invited and are requested to attend and participate in the proceedings and act with said Rules Committee in hearing and determining the matters referred to.

Be it further resolved that the said Senator E. D. Jordan is notified of the time set for said hearing and is hereby requested to be present in person, with attorneys, witnesses and others interested, and advised that at said hearing he will be given full opportunity to present his case, defend said charges and submit all matters that he sees fit to the consideration of said Committee and other members of the Senate assembled.

Be it further resolved that, pending the hearing of said charges at said meeting, as referred to above, the said Senator E. D. Jordan is requested to excuse himself from further participation in the proceedings of the Senate, as his services in the Senate, under such circumstances, might prove embarrassing to himself and associate members of the Senate.

Be it further resolved that a Committee of Three be appointed by the presiding officer of the Senate to confer with said Senator Jordan and advise him of the contents and purpose of this resolution, and report back to the Senate the results of said conference so that the Senate may be informed as to whether or not Senator Jordan will co-operate to the extent herein stated in having said charges heard, passed upon and determined in a full and complete investigation of said matters.

Be it further resolved that the said Committee notify all persons whose names are submitted of the time of said meeting and request that parties familiar with the facts and having information which can be furnished at said hearing be present in order that they may be questioned by Senator Jordan, or his attorneys, or by others who care to question them.

Be it further resolved that all persons interested in the above matter be requested to be present and help the Committee and the Senators assembled reach a true, just and proper conclusion as regards the charges referred to and the matters set forth therein.

On motion of Mr. Powell, said report was concurred in, the resolution put upon its immediate passage and adopted.

Thereupon, the President of the Senate appointed as a committee under said resolution Messrs. Hildreth, Chairman Edmundson, and Bartlett.

In connection with the foregoing resolution, S. R. 95, the President of the Senate instructed the Secretary to read the following communication from Mr. Jordan:

"November 1, 1932

To the President of the Senate of Alabama,
Montgomery, Alabama
Mr. President:

Whereas certain charges reflecting upon me as a member of the Senate of Alabama have been published in the State Press and that the Senate of Alabama will take official cognizance of said charges: I hereby request that I be excused from sitting as a member of the Senate until such time as a full and impartial investigation of all of said charges have been made by the Senate; and I hereby welcome and invite a full and fair investigation by the Senate of said alleged charges, and with that end in view I hereby make formal request upon the Senate that I be presented with any and all charges that may be preferred against me by the Senate of Alabama, that I be permitted to appear before the Senate in person or by counsel, and that I be given a full and fair opportunity to defend myself before the Senate of Alabama against any charges that may be preferred against me; and that the Senate of Alabama take such official action as will give me the opportunity to face my accusers and compel the attendance before the Senate of all witnesses that may have knowledge of any of said alleged charges, a right accorded under the laws of Alabama to every citizen.

Respectfully submitted,

E. D. JORDAN,
Senator from 6th Senatorial District."

Copy to President Protem of the Senate.

And same was ordered spread upon the Journal.

The Rules Committee reported the following Senate resolution:

S. R. 96. Resolved by the Senate that upon the call of the regular calendar for to-day, the following bills be made special orders on first call of the Calendar:

H. 655 Page 12
H. 584 Page 31
H. 662 Page 52
H. 661 Page 53
H. 585 Page 30
H. 637 Page 40
H. 525 Page 54
H. 360 Page 1
H. 591 Page 8
H. 692 Page 9
H. 314 Page 9
H. 359 Page 10
H. 515 Page 10
H. 229 Page 11
H. 589 Page 14
H. 75 Page 20

H. 282 Page 8
H. 502 Page 2
H. 388 Page 7
H. 629 Page 55

And on motion of Mr. Powell, said report was concurred in and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 251. To permit the use, hire or letting of convict labor, State and/or county, for use in the construction or maintenance of drains, outlets for drains and/or reopening of any filled or partly filled drains and/or for the construction or maintenance of any levees in connection with drains, established or constructed now or that may be hereafter established or constructed under the provisions of present or future enacted general laws relating to drainage districts incorporated to promote public health and general welfare: And to provide ways and means of effecting such use, hiring or letting and methods of effecting such results.

Also:

H. 452. To relieve the tax assessor of Coffee County, Alabama, from the duty of preparing a book of assessments, as is now required by General Law, and in lieu thereof to provide that the original assessment lists or sheets shall be permanently bound and kept as a permanent record; and to provide that tax collector's abstracts shall be made from said assessment sheets so bound.

Also:

H. 531. To relieve all persons of any legal obligations to work public roads or streets in Blount County Alabama.

Also:

H. 607. To provide, authorize and direct that all qualified electors who may reside in any territory which has been or may be detached from one County and added to another County of the State, to have their names added to the list of the qualified electors of the County to which they have been added, and direct the method thereof and provide compensation for the same to the Judges of Probate of the several Counties of the State.

Also:

H. 619. To provide and authorize the State Superintendent of Education of Alabama, and the County Boards of Education of Alabama, to make apportionments of school funds, irrespective of the changes in boundary lines of adjoining counties in the State, provided said apportionments are made upon school census and enumerations which have been made and certified to, as provided by law, prior to the rearrangement of boundary lines between adjoining counties.

Also:

H. 620. To provide that County Commissioners, Boards of Revenue or other like governing bodies of the counties of the State of Alabama, shall have the right and authority to alter and rearrange precinct or beat lines so as to include territory which has been detached from one County and added to an adjoining County of the State, or to create separate beats or precincts and voting districts in said territory which has been or may be added to a County and detached from an adjoining County.

Also:

H. 666. To provide for a change of venue in actions pending in any court at the time of a transfer of a portion of the territory of one county to another county, by change of boundary line or otherwise, and to provide for payment of costs in such actions.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 25. Relating to the salary or compensation of officers or employees of the State, or of any department thereof whose compensation is paid out of State Treasury.

S. 17. To provide that in Etowah County, agreements may be entered into for the lease, rental or hire of personal property not to exceed Two Hundred (\$200.00) Dollars in value, said agreements to be valid against purchasers for a valuable consideration, mortgagees, landlord's lien and judgment creditors without being recorded in the office of the judge of probate; to provide for the repossession of such personal property by the lessor; to prescribe penalties for the unlawful disposition of such personal property by the lessee, and to repeal all laws in conflict.

S. 79. To provide for the special relief of J. A. Kizer by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

S. 191. To amend Section 240 of the Code of Alabama of 1923.

S. 49. To appropriate the sum of \$120.00 out of the General

Fund of the State to reimburse A. P. Smith for money collected from him through mistake or error.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Report of Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.

Gentlemen:

I am herewith returning to the Senate, the body in which it originated, Senate Bill No. 197 without my approval.

I suggest that the bill be amended so as to read as follows:

"An Act to provide for the leasing to the State Highway Department of the State of Alabama by the Alabama State Bridge Corporation of all the bridges and other property now owned by the Alabama State Bridge Corporation; to provide for the method and manner of execution of said lease and the future use of said property and the tolls to be derived therefrom; and to make an appropriation for said lease.

Be it enacted by the Legislature of Alabama:

Section 1. That the State Highway Department of the State of Alabama, with the approval of the Governor, be and it is hereby authorized to rent or lease from the Alabama State Bridge Corporation, upon such terms as said parties or bodies may agree upon, all of the fifteen toll bridges and other property now owned by the Alabama State Bridge Corporation, said lease to be for an annual rental or not exceeding Three Hundred Thousand Dollars, which sum or so much thereof as is necessary is hereby appropriated for said purpose mentioned in this Act. The Alabama State Bridge Corporation through its President and Secretary is hereby authorized to execute the lease herein provided for and the State Highway Department of the State of Alabama is hereby authorized to make this lease through the Highway Director with the approval of the Governor of the State of Alabama.

Section 2. That the said sum of Three Hundred Thousand Dollars herein appropriated, or as much thereof as may be necessary, shall be set aside as a trust fund out of any money belonging to or heretofore or hereafter appropriated for the use and benefit of or to the State Highway Department not otherwise heretofore appropriated and shall be paid quarterly or semi-annually to the Alabama State Bridge Corporation and shall be used by it exclusively for the payment of the interest and/or principal of any refunding bonds issued by said Alabama State Bridge Corporation as the same fall due or mature, after the net tolls from said bridges shall have been applied to the payment of interest and principal of its outstanding bonds, and said rental shall be used for no other purpose.

Section 3. That said lease shall provide that the State Highway Department of the State of Alabama shall at all times keep repaired and in good condition each and every bridge and/or other property so leased as a part of the public highway system of the State of Alabama without expense to the Alabama State Bridge Corporation, and in case of a destruction of

any of said property during the term of said lease the State Highway Department shall replace or reconstruct such property as is destroyed in addition to the annual rental above provided for, and no insurance shall be required to be carried on said property. Said lease shall continue for such length of time as the Alabama State Bridge Corporation may have outstanding any refunding bonds, and said lease shall provide that the State Highway Department of the State of Alabama shall have the same rights and privileges with respect to said bridges and their use, including the collection of tolls, as the Alabama State Bridge Corporation has under the present law. No provision in this Act or in said lease shall in any wise operate to impair the obligation of any contract now existing whereby Alabama State Bridge Corporation is a party thereto.

Section 3½. The rental authorized herein to be paid by State Highway Department of the State of Alabama to Alabama State Bridge Corporation shall be used only for the purpose of paying the interest and principal amortization of refunding bonds hereafter issued by said Alabama State Bridge Corporation and none of the interest or principal owing on the present outstanding bonds of said Alabama State Bridge Corporation shall be paid or payable out of said rental. The net proceeds from the tolls derived from said bridges shall be used only for the purpose of paying interest and principal on outstanding bridge bonds of said Bridge Corporation.

Section 4. That this Act shall take effect immediately upon its approval by the Governor."

When the bill is thus amended I can approve it.

The bill as passed and sent to me provides that after the execution of the lease provided in the Act the tolls shall no longer be collected on the bridges built by the Bridge Corporation. I do not believe that the bridges should be made free until they are paid for.

The original intention in passing the law was that the bridges should be paid for with tolls collected for their use. At the time people were using ferries at heavy expense and were willing to pay toll in order to get good convenient bridges to take the place of the ferries. The people have never voted on the question of assuming the Five Million Dollars of bonded debt and it should not be indirectly placed on them by making the bridges free and requiring that the interest and principal on the bonds be paid from highway funds.

I stated in my campaign that the bridges should not be made free and the people endorsed this position. In my platform I said on this subject as follows:

"Free Bridges

There are 15 bridges—some built and some being constructed in Alabama. This is being done by a corporation chartered by Act of the Legislature. It is an agency of the State. Bonds are floated to pay for them. The Act provides the cost (approximately \$5,000,000.00) must be paid from tolls by those using the bridges. The bridges are located in 15 or more counties. A bridge here and there connects two counties over a boundary stream between them. It is estimated that the toll from the bridges will pay the cost (principal and interest) in about five years. And the Act provides the bridges will belong to the State and be free to the public when the principal and all expenses are paid in full from the tolls. Should the entire State now be required to assume this \$5,000,000.00 debt, pay it and the interest, and declare the bridges free, would this be fair to the 51 or 52 other counties of the State that have no direct interest in these bridges? Would it be right to tax the citizens of 51 or 52 counties who have no constant use for these bridges to pay nearly all of this \$5,000,000.00? It does not seem right and just to me. This debt should be paid, in my opinion.

as the law now directs by tolls by those who use the bridges, and when it is thus paid, let the bridges be free for the public, as the statute directs.

"If these 15 bridges are made free now, then each taxpayer in Alabama will pay his pro rata part of the \$5,000,000.00, the cost thereof, although he may never cross one of these bridges."

By your vote in caucus you endorsed my platform. Contention has been made that it will not cost the State any more to pay the interest and principal on the bonds under the plan outlined in this Act than it cost now with tolls included.

By adopting the Act as amended we will get all of the advantages of the saving by refunding the bonds and every dollar that can be saved by the bill will be saved and in addition thereto the State will have the advantage of the money collected from tolls to pay on the lease of the bridges.

At the time the bonds were issued it was estimated that the proceeds from the tolls would pay the interest and principal. By reason of the depression and financial conditions, which were not foreseen, the toll has not been sufficient but under a refunding plan where the interest will be only four and one-half per cent (4½%) and the principal payments smaller than at present, we should realize a sufficient amount from tolls to pay a large proportion of the interest and principal on the bonds.

I hope that you will see fit to adopt the amendments and thereby save to the State the revenue from tolls which is so badly needed.

Respectfully,

(Signed) B. M. MILLER,

Governor.

November 1, 1932.

GOVERNOR'S MESSAGE

On motion of Mr. McDaniel, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 197. To provide for the leasing to the State Highway Department of the State of Alabama by the Alabama State Bridge Corporation of all the bridges and other property now owned by the Alabama State Bridge Corporation; to provide the method and manner of execution of said lease and the future use of said property, and to make an appropriation therefor.

Said amendment being set out in the foregoing Message from His Excellency, the Governor.

Yeas, 20; nays, 13.

Yeas:

Messrs.:

Beasley	Cowart	Edmundson	Mullins
Bonner	Craft	Farmer	Powell
Brown	Darden	Faulk	Shepherd
Caffey	Delony	Fletcher	Walker
Cooper	Duncan	McDaniel	Wikle

—20

Nays:

Messrs.:

Bartlett	Hooton	Lapsley	Scruggs
Garrett	Hubbard	McDowell	Teasley
Goodwin	Kelley	Millsap	Warren
Hildreth			

—13

Which was a majority of the whole number elected to the Senate.

And said bill, S. 197, as thus amended by the amendment of His Excellency, the Governor, was read a third time at length and passed.

Yeas, 21; nays, 10.

Yeas:

Messrs.:

Beasley	Darden	Faulk	Powell
Bonner	Delony	Fletcher	Shepherd
Brown	Duncan	Goodwin	Teasley
Caffey	Edmundson	McDaniel	Walker
Cooper	Farmer	Mullins	Wikle
Cowart			

—21

Nays:

Messrs.:

Bartlett	Hooton	Lapsley	Millsap
Garrett	Hubbard	McDowell	Scruggs
Hildreth	Kelley		

—10

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in the Senate amendment to the following House bills:

H. 536. To create the office of Road Supervisor for Henry County, Alabama; to prescribe the qualifications, powers, authorities and duties of said Supervisor, to provide for his election and or appointment and the election and or appointment of his successor; to fix his term of office and salary and to require him to give surety bond.

H. 537. To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines of such Districts by showing the beats composing each of such Districts; to provide for the election of one Commissioner from each of said Districts, to fix their terms of office; to prescribe their qualifications, powers and duties; to fix their salaries, terms of office and filling of vacancies; to fix the date of their election; to require said Commissioners to give bond; and to further prescribe the powers, and duties of said Commissioners Court.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following House Joint Resolution:

By Mr. Miller:

H. J. R. 165. BE IT RESOLVED by the House, the Senate concurring, that a committee be appointed, to be composed of three (3) to be appointed by the Speaker of the House, and three (3) to be appointed by the presiding officer of the Senate, to confer and fix the hours of adjournment for today, and make report thereof.

And sends same herewith to the Senate, and the Speaker of the House has named as committee on part of the House Messrs. Miller, Sparks and Goode.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Powell, the Rules were suspended and H. J. R. 165, set out in the foregoing Message from the House, concurred in and adopted.

Thereupon the President of the Senate appointed as a committee on part of the Senate Messrs. Powell, Teasley and Fletcher.

OPINION FROM THE SUPREME COURT THE STATE OF ALABAMA—JUDICIAL DEPARTMENT THE SUPREME COURT OF ALABAMA

To the Honorable Senate of Alabama:

Your inquiry as to Senate Resolution No. 91, relating to House Bill No. 392, involves constitutional questions of great importance. If an answer is to serve any practical purpose it must be made at once and without opportunity of sufficient research and consideration.

Aside from any objection as to the generality of the inquiry, it appears that the private rights of the holders of the outstanding warrants are involved, and we do not deem it proper to express an opinion affecting such rights in the absence of an adversary proceeding when the parties may be heard and the questions duly argued.—In re. *Opinion of the Justices*, 209 Ala. 593.

JNO. W. ANDERSON,
Chief Justice.
LUCIEN D. GARDNER,
WILLIAM H. THOMAS,
JOEL B. BROWN,
ARTHUR B. FOSTER,
Associate Justices.

BOULDIN, J.

I fully agree with my Associates, a majority of members of this Court, that the inquiry is of great importance. Indeed, I think that no graver inquiry has ever been submitted to us for an advisory opinion.

I further agree that in no event should an advisory opinion be rendered involving the legal rights of holders of warrants now outstanding under existing law. Persons who have in good faith rendered services or furnished their effects for the public benefit under contract with the State or its authorized agencies, or pursuant to duty enjoined by law, are entitled to have their rights determined in regular judicial proceedings; given a full and fair hearing in court.

I further agree that in one aspect the present inquiry is too broad. The Judges of this Court should not and can not engage in a blanket investigation

to determine whether a pending bill is unconstitutional upon any ground. Such an undertaking might even involve an examination and supervision of the Journals of one or both branches of the Legislature to find if constitutional requirements have been observed in its passage; matters committed to the Legislature.

But The Senate of Alabama submits to us one definite inquiry, viz.: Is House Bill No. 392, named therein the "Warrant Liquidation Act of 1932," violative of Section 213 of the Constitution of Alabama?

The Senate expresses doubt on this specific question and requests our advisory opinions thereon under Code, §10290. That section expressly calls for such opinions on "important constitutional questions." To my mind the more important the question, the greater the reason for requesting such opinions.

I am in fullest sympathy with the suggestion that such opinions, in so grave a matter, should not be hastily rendered; should have mature consideration.

This Court has had occasion in regular judicial proceedings to frequently consider our constitutional limitations upon or inhibitions against the creation of public debt.—**Brown, Treasurer v. Gay-Padgett Hdw. Co.**, 188 Ala. 423; **Hagan v. Commissioner's Court of Limestone County**, 160 Ala. 544, 49 So. 417, 37 L. R. A. (N. S.) 1027; **Gunter v. Hackworth**, 182 Ala. 205.

During the Regular Session of the present Legislature, and twice during the present Special Session, we have rendered advisory opinions upon proposed measures seeking by legislation to deal with these same matters in much the same manner, at least in principle.—**Opinion of Justices**, 223 Ala. 130; **Opinion of Justices**, 143 Southern Reporter 289; **Opinion of Justices**, filed October 5th, 1932, Mss.

By the proposed bill existing warrants, payable out of current appropriations, but now outstanding for want of present funds in the Treasury, are to be surrendered for new warrants bearing interest, and payable, principal and interest, from a special appropriation of \$1,500,000.00 per annum, by this bill set apart from the general fund from year to year and to continue until they are fully paid.

The bill in effect undertakes to fund these obligations, making the funding warrants a charge on future revenues, running through a long and indefinite number of years.

Section 213 expressly forbids the incurring of new debt, which can only mean debt incurred after the Constitution was ratified. Assuming that this does not include obligations payable out of current revenues levied or leviable to meet them, notwithstanding sufficient funds have not come into the Treasury, I think, when such obligations are funded or replaced by interest-bearing, time obligations, and charged against revenues running far into the future, the new obligations constitute a debt prohibited by the Constitution. Otherwise, any amount of new debt may be created through the methods proposed.

Strongly convinced that this Act, if passed, will be void, fail of its purpose, and that the creation of such obligations, like a bonded debt, can only be created with the approval of the people by an amendment to the Constitution, I am impelled to so advise The Senate for whatever such opinion is worth.

Mr. Justice Knight concurs and joins in the foregoing.

VIRGIL BOULDIN,
THOMAS E. KNIGHT.

OPINION

The foregoing opinion was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 150. For the relief of A. M. McConnell, of Athens, Alabama.

Also:

S. 177. For the relief of Joe Ferguson and to make an appropriation for the relief of Joe Ferguson who served in the State Militia during the year 1924, and while in the line of duty at Camp McClellan, Alabama at the annual encampment was accidentally shot through the left hand with a pistol which caused him great pain and expensive doctor bills, and the total loss of time for several months, together with a deformed hand for life; to create a Commission or Committee composed of the Governor, Attorney General and the Adjutant General of the State of Alabama to adjudicate his said claim and to pay him on the merits of the same from evidence that may be furnished in the form of affidavits and other reliable sources; and to provide that the amount of such compensation shall not exceed Twelve Hundred Dollars.

Also:

S. 186. For the relief of Mutual Oil Company, of DeKalb County, Alabama, to refund certain moneys erroneously or illegally collected from said company as money due the State of Alabama as Sales Tax or License on gasoline.

Also:

S. 192. For the relief of W. T. Johnson: To provide for the refund of One hundred and fifty dollars (\$150.00) being the proportionate part paid for a license to do business and such business was after prohibited by law before the time granted in the license had expired; To authorize the Auditor to issue a voucher for said amount, and to authorize the Treasurer of the State of Alabama to pay the same out of the general fund.

Also:

S. 198. To authorize the State Docks Commission to pay to Mrs. Katherine T. Johnson, as widow of John Johnson, deceased, the sum of Five Thousand (\$5,000.00) Dollars out of its treasury, as compensation for the death of the said John Johnson, while acting within the line of his duty as pilot while in the employment of said State Docks Commission.

Also:

S. 269. To authorize Board of County Commissioners of Madison County, to donate to Local Chapter of American Red Cross in said County, for relief of destitution, proceeds of excise gasoline tax distributed to said County under the provisions of an act of the Legislature of Alabama, approved July 27, 1931; and to repeal all laws in conflict with this Act.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 206. To establish an Inferior Court for all precincts lying within or partly within the City of Birmingham, Alabama, said court to be in lieu of all Justices of the Peace, Notaries Public with powers of Justices of the Peace and all other Inferior Courts created in lieu of Justices of the Peace in said territory prior to the effective date of this Act except such courts as have criminal jurisdiction only and as otherwise limited by the terms of this Act, to define the jurisdiction and powers of said courts and the officers thereof; to provide for the election of the officers of said court; to provide for the election and selection of the officers of said court; to fix their term of office; to fix the compensation of said officers and the method of paying the same; to provide the procedure in said court and to fix the method of service of all processes therefrom; to create and designate the officials to serve the processes issued from said court and to provide the compensation therefor, to designate the officers of said court and define their powers and duties; to provide for the establishment, maintenance, jurisdiction and powers of different branches of said court and branch offices thereof, to abolish in said city all Inferior Courts heretofore created in lieu of Justices of the Peace in and for all precincts lying within or partly within the City of Birmingham, except such courts as may have criminal jurisdiction only and as otherwise limited by the terms of this Act, and to provide for the transfer of such pending cases from such abolished courts to the courts hereby established.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Edmundson, the Senate non-concurred in the following amendment by the House to S. 206, the title of which is set out in the foregoing Message from the House, to-wit:

And to Amend Senate bill 206 as follows:

By striking out Section 5 thereof and substituting therefor Section 4½ as follows:

"Section 4½. The Clerk of said Court shall issue all processes out of this Court, approve all bonds and keep the dockets of the Court; he shall certify all appeals and certiorari and generally do and perform all clerical duties proper and necessary for the conduct of the Court. The fees and costs that are now allowed by law in the Municipal Courts of Birmingham (Civil Division—First and Third Divisions) shall be taxed and collected as provided by law

in such cases and shall be by the Clerk paid into the County Treasury, and provided that no part of the Court costs so taxed shall be cost as a trial tax.

Also:

Amendment to Senate bill 206:

Amend Section 3 so as to read as follows:

Section 3. There shall be a clerk of said Court who shall be elected by the County Commission or other likegoverning body of the County and who shall serve for a term of one year and until his successor is elected and qualified. At the expiration of the term of office of said clerk and each one year thereafter his successor shall be appointed by the County Commission or other like governing body of the County for a term of one year and until his successor is elected and qualified. Said clerk before entering upon the duties of his office shall take the oath of office as prescribed by the Constitution of Alabama and enter into bond, the amount thereof to be fixed by the County Commission or other like governing body of Jefferson County, and conditioned as other official bonds as required by law to be conditioned and to be approved by the Probate Judge of the County, the premium on such bond to be paid out of the General Fund of the County. The said Clerk shall be subject to impeachment for the same causes and in the same manner as now provided by law for the impeachment of other County officials. The compensation of such clerk shall be fixed by the County Commission of Jefferson County and payable out of the General Fund of the County in equal monthly installments.

Amend Section 4 so as to read as follows:

Section 4. The Clerk of said Court may appoint as many clerks or deputies as may be needful or necessary in the judgment of the County Commission of Jefferson County for the proper conduct of the affairs of said office and said clerks and deputies shall receive such compensation, payable out of the General Fund of the county, as may be fixed by the County Commission or other like governing body of the County. Said deputies and clerks shall serve at the pleasure of the clerk of the Court; provided that the clerk who serves in the North Birmingham branch of said court shall be appointed and serve at the pleasure of the County Commission.

Also:

To amend Senate bill 206 further as follows:

By striking out the words "County Commission or other like governing body of the County" where said words appear in Section 16 thereof and substituting therefor the following words "Presiding Judge of the Circuit Court of such County".

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

And request a committee of Conference.

Thereupon, the President of the Senate appointed as conferees on part of the Senate Messrs. Edmundson and Fletcher.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills and returns same herewith to the Senate:

S. 266. To create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission; to authorize said Commission to make reductions in all assessments against property included in the following paving ventures, to wit:

Series "W"—21st Paving.

Series "X"—22nd Paving.

Series "Y"—23rd Paving.

Series "Z"—24th Paving.

Series "A-B"—25th Paving.

Series "C-D"—26th-A Paving.

Series "I-J"—26th Paving.

Series "M-N"—27th Paving.

To provide for the payment of reduced assessments and any refunds due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix a penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal for the finding of such Commission.

Also:

S. 173. For the relief of Dixie Chemical Products Co., Inc., and to authorize and empower the Board of Revenue of Morgan County, Alabama, to pay within its discretion, to the said Dixie Chemical Products Co., Inc., the sum of \$182.10 with interest from Jan. 23, 1922, which sum of money represents an account created by the

County of Morgan through its Sheriff, J. V. May, which account has never been paid.

Also:

S. 176. To appropriate the sum of Twenty-five Hundred Dollars For the Relief of Mrs. Myrtle Downey.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Craft, the Senate concurred in the following amendment by the House to S. 266, the title of which is set out in the foregoing Message from the House, to-wit:

To strike out Section 8-A of Senate bill 266 and to amend Section 8 by adding thereto at the end thereof the following, viz:

Provided, however, that the taking of such funds shall not affect the policemen, firemen, operation of hospital, collection of garbage and lighting for the city and the necessary or proper operation of the affairs of said city.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

On motion of Mr. Kelly, the Senate concurred in the following amendment by the House to S. 173, the title of which is set out in the foregoing Message from the House, to-wit:

Amend Section 1 of Senate bill 173 as follows:

By striking out of said Section all of that part following the words and figures "Jan. 23, 1922" and by adding in lieu thereof the following: "upon satisfactory proof being made to said Board, that J. V. May as Sheriff of Morgan County, Alabama, while in the discharge of his duties as Sheriff of said County contracted an account with the said Dixie Chemical Products Co., Inc., for said county in the sum of \$182.10 and that said account became due on Jan. 23, 1922, and is unpaid."

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Caffey	Darden	Farmer
Beasley	Cooper	Delony	Faulk
Bonner	Cowart	Duncan	Fletcher
Brown	Craft	Edmundson	Garrett

Goodwin	McDaniel	Powell	Teasley
Hildreth	McDowell	Riddle	Walker
Hooton	Millsap	Scruggs	Warren
Hubbard	Mullins	Shepherd	Wikle
Lapsley			

—33

On motion of Mr. Teasley, the Senate concurred in the following amendment by the House to S. 176, the title of which is set out in the foregoing Message from the House, to-wit:

Committee substitute for Senate bill No. 176:

A BILL

To be entitled An Act to appropriate the sum of Twenty-five Hundred Dollars for the relief of Mrs. Myrtle Downey.

Whereas, G. C. Downey while confined as a prisoner in Kilby Prison while serving a sentence of imprisonment as a convict for the offense of forgery in the Circuit Court of Jefferson County, Alabama, came to his death by accidental electrocution in the discharge of the duties assigned to him while repairing a leaking steam pipe in a tunnel connecting the power plant with the automobile tag factory at Kilby Prison; and

Whereas, the said G. C. Downey at the time of his death left a widow, Myrtle Downey, and three minor children destitute and without means of support and no compensation has been paid to the said Myrtle Downey for herself and said minor children on account of the death of her said husband,

Be it enacted by the Legislature of Alabama:

Section 1. That the State Auditor be and he is hereby authorized and directed to issue his warrant on the State Treasurer in favor of the said Myrtle Downey for a sum not more than Twenty-five Hundred Dollars (the exact amount to be certified by the Attorney General), which shall be paid by the State Treasurer out of any funds in the Treasury not otherwise appropriated. Provided, however, that no sum shall be paid under the provisions of this act unless and until the Chairman of the State Board of Administration, or some representative of the State Board of Administration, appointed for that purpose by the Chairman of the State Board of Administration, shall ascertain the facts and circumstances relating to the above described claim and the amount of damages sustained by the claimant and shall make a written report thereof to the Attorney General of Alabama; and the Attorney General shall certify to the State Auditor the amount to be paid, and that in the opinion of the Attorney General the State of Alabama, if an individual, would be legally liable for the claim, based on the facts submitted by the Chairman of the State Board of Administration, or his appointee.

Yeas, 25; nays, 0.

Yeas:**Messrs.:**

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Cowart

Craft
Darden
Delony
Duncan
Farmer
Goodwin

Hildreth
Hooton
Hubbard
Kelley
McDaniel
McDowell

Mullins
Riddle
Scruggs
Teasley
Walker
Warren

—25

REPORT FROM RULES COMMITTEE

Mr. Powell, Chairman of Standing Committee on Rules, reported that said committee, in session, had acted on the following resolutions and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 81. Requesting the State Highway Director to announce before reading any bids for Highway work, that the successful contractors are requested to buy all supplies possible within Alabama, and to place their bonds with Alabama agent.

Also:

H. J. R. 152: Memorializing the Congress of the United States to enact such Legislation as will give immediate relief to those farmers who are about to, or have already, lost their homes and farms.

And on motion of Mr. Powell, said report was concurred in and the resolutions adopted.

BILLS ON THIRD READING

The bill:

H. 655. To repeal an Act entitled "An Act to better secure the administration of the financial affairs of the State and for that purpose to vest in the Governor certain powers and duties; to create the office, define the powers and duties and fix the salary of a State Comptroller; to provide for the transfer of the Department of Examiners of Accounts, its personnel, appropriations, records, equipment and other property to the office of State Comptroller and to designate it as the division of Departmental and County Audits; to abolish the Budget Commission, and to transfer the books, property and equipment of the Budget Commission to the office of the Comptroller; to relieve the State Auditor of certain duties and to provide for the transfer of certain employees and of unexpended balance of appropriations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of State Comptroller; to relieve the Board of Administration of certain duties and to provide for the transfer of certain employees and of unexpended balance of appropriations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of the State Comptroller; to provide for

the transfer of the Secretary of the Senate and Clerk of the House of Representatives to the State Comptroller's Office during such time as the Legislature is not in session; to repeal certain definite, indefinite and contingent permanent appropriations to establish a State Budget System; to provide for the lapsing of appropriations; to provide for the transmission of the Budget to the Legislature; to provide a method for securing estimates of appropriations and for estimates of income of the State; to provide a tentative budget and to provide for hearings on the same; to provide for transmission of the tentative budget to the Governor; to provide for prorating appropriations to prevent an overdraft or deficit in any fiscal year for which appropriations are made; to provide for allotting appropriations to departments, institutions, bureaus, boards, commissions and other State agencies; to provide emergency appropriations; to provide that money received by departments, institutions, bureaus, boards, commissions, or other State agencies shall be deposited in the Treasury and to provide how the same shall be held and paid out; to prevent the wrongful expending of appropriations and to provide penalties and punishment; to establish a fiscal year for the State and all State Agencies; to provide when this Act shall go into effect and to provide for the repeal of certain laws in conflict with this Act," Approved September 27th, 1932, in so far as the same may or can affect the payment, extension or renewal of certificated warrants outstanding or existing on September 30th, 1932.

Was read a third time at length and passed.

Yeas, 20; nays, 6.

Yeas:

Messrs.:

Beasley	Delony	Garrett	Powell
Caffey	Duncan	Goodwin	Shepherd
Cooper	Farmer	Hubbard	Teasley
Craft	Faulk	McDaniel	Walker
Darden	Fletcher	Mullins	Wikle

—20

Nays:

Messrs.:

Hildreth	Kelley	McDowell	Riddle
Hooton	Lapsley		

— 6

The bill:

H. 584. To aid relief of unemployment or destitution, existing or prospective, and to provide employment for excess labor, by authorizing the Governor of Alabama to accept title on behalf of the State to any lands subjected by the owner to any program deemed by him in aid of such purposes, under such terms for their holding, development, conveyance or reconveyance by the State as he may approve; also to authorize the Governor to agree, as to any such lands and as to any other lands to which title or any interest therein is vested in the State not otherwise held in trust or devoted to pub-

lic use, with any person, firm, corporation or relief agency approved by him for the purpose upon a program for the holding, use of development and disposition of any such lands for said purposes and for their release therefrom; to authorize any or all such lands to be subjected by and with the approval of the Governor to any lien, conditional sale, lease sale contract, reservation of title, mortgage or other condition or agreement to secure any loan or advance made in furtherance of the program; to authorize the Governor to lend or make available the aid of the State Board of Administration, the State Highway Department or any other State agency (or county agency, the corporate authority of which shall consent) in furtherance of such program and to authorize the Governor to act in the premises directly or through any officer, person, firm, corporation, relief agency or commission to which he may specifically delegate authority in the premises under such appropriate limitations as he may prescribe; also to provide for the exemption from privilege taxes of the instruments executed or delivered in furtherance of such program and for the exemption from ad valorem taxes of such lands and improvements and equipment thereon, and the crops and produce thereof until paid out or otherwise released from the program to the extent provided in the Act.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Beasley	Delony	Kelley	Powell
Bonner	Garrett	Lapsley	Shepherd
Brown	Goodwin	McDaniel	Walker
Caffey	Hildreth	McDowell	Warren
Cooper	Hooton	Millsap	Wikle
Craft	Hubbard		

—22

The bill:

H. 662. Further to provide for the purchase, construction and improvement of waterworks systems in cities, villages and incorporated towns in the State of Alabama, and to provide for the issuance of revenue bonds payable solely out of the revenues derived therefrom, and to provide for the operation of such systems in case of deficiencies in revenue.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Beasley	Farmer	Lapsley	Powell
Caffey	Garrett	McDaniel	Shepherd
Cowart	Hildreth	McDowell	Walker
Craft	Hubbard	Millsap	Warren
Delony	Kelley	Mullins	Wikle

—20

The bill:

H. 661. To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation; to authorize contracts for the use of such works by other cities, towns and political subdivisions and charges against owners of premises therein served thereby and a lien against such premises.

Was read a third time at length and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs.:

Beasley	Delony	Kelley	Shepherd
Bonner	Edmundson	Lapsley	Teasley
Brown	Farmer	McDowell	Walker
Cooper	Garrett	Millsap	Warren
Cowart	Hildreth	Mullins	Wikle
Craft	Hubbard	Powell	

—23

Nay: Mr. Faulk

— 1

The bill:

H. 585. To authorize municipalities and counties, within their respective jurisdictions as defined by the Act, to regulate housing and farm relocation corporations which shall subject themselves to this Act as provided herein.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Mullins
Beasley	Edmundson	Kelley	Powell
Bonner	Farmer	Lapsley	Shepherd
Brown	Hildreth	McDaniel	Warren
Caffey	Hooton	McDowell	Wikle
Cooper			

—21

The bill:

H. 637. To make it unlawful for any person to receive or buy seed cotton at any time from any person except from the owner of the land on which grown, or his lawful agent, or except from a person, presenting a written permit to make such sale from the owner of the land on which grown or his lawful agent, and to provide penalties therefor.

Was read a third time at length and passed.

Yeas, 23; nays, 3.

Yeas:

Messrs.:

Bartlett	Cowart	Fletcher	McDowell
Beasley	Craft	Garrett	Mullins
Bonner	Darden	Goodwin	Powell
Brown	Delony	Hildreth	Shepherd
Caffey	Edmundson	Lapsley	Warren
Cooper	Farmer	McDaniel	

—23

Nays: Messrs. Faulk, Hooton, Hubbard

—3

The bill:

H. 360. To fix the compensation or salary of the Treasurer of Jefferson County, Alabama, and to regulate the payment thereof.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 525. To authorize game farming to include game birds, animals and fur bearers for propagation purposes in the State of Alabama, to provide for the issuance of permits to accredited individuals, associations, partnerships, firms and corporations, to provide that the Commissioner of Game and Fisheries shall make regulations governing the issuance of said permits and the conduct of game farms, to provide for the cancellation of permit when terms upon which it is used are violated, and to provide for penalties for violation of this Act, etc.

Was taken up.

Mr. Teasley offered the following amendment to said bill, to-wit:

Amend H. B. 525 by adding to the caption of said bill immediately after the comma following the word "Alabama" in the second line of said caption and before the word "to" in said line the following:—"to authorize the Commissioner of Game and Fisheries to engage in game farming, to authorize the expenditure of revenue out of Game and Fish Fund therefor."

Which was adopted.

Yeas, 25; nays, 1.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Millsap
Beasley	Duncan	Hooton	Mullins
Bonner	Edmundson	Hubbard	Powell
Brown	Farmer	Lapsley	Riddle
Caffey	Garrett	McDaniel	Shepherd
Craft	Goodwin	McDowell	Wikle
Darden			

—25

Nay: Mr. Kelly

— 1

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hildreth	McDowell
Beasley	Delony	Hooton	Mullins
Bonner	Duncan	Hubbard	Riddle
Caffey	Edmundson	Kelley	Shepherd
Cooper	Farmer	Lapsley	Warren
Cowart	Garrett	McDaniel	Wikle
Craft	Goodwin		

—26

The bill:

H. 591. To provide that all counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census that the work of the probation of convicts shall be declared a County purpose, that the Board of Revenue, County Commission or other governing or like governing bodies of such counties shall be authorized to expend County funds for such purpose and to further provide that such governing bodies in all such counties shall have the power to appoint probation officers and to fix their compensation and to pay the same out of County funds.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 592. To amend Sections 11 and 15 of an Act entitled "An Act to create the Office of Commissioner of Licenses in all Counties in this State having a population of 300,000 or more according

to the last or any subsequent Federal Census, to prescribe the duties thereof, define the powers, fix the term of office, the method of election of such commission and to provide for the compensation of said officer; to provide for the necessary clerical assistants in said office and to further provide that each Commissioner of Licenses shall assess for taxation and collect the ad valorem taxes and issue the licenses and distribute the tags on all motor vehicles in such Counties and to transfer the duties from the Tax Assessor, Tax Collector and Probate Judge in such Counties to the Commissioner of Licenses of all matters relative to the registration, assessment for taxes, collection of ad valorem taxes and issuance of licenses, and distribution of tags for motor vehicles," approved July 16, 1931.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 314. For the relief of Sam Francis Brennan.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 359. For the relief of J. W. Faulk.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Caffey	Darden	Farmer
Beasley	Cooper	Delony	Faulk
Bonner	Cowart	Duncan	Fletcher
Brown	Craft	Edmundson	Garrett

Goodwin	McDaniel	Powell	Teasley
Hildreth	McDowell	Riddle	Walker
Hooton	Millsap	Scruggs	Warren
Hubbard	Mullins	Shepherd	Wikle
Lapsley			

—33

The bill:

H. 515. To create and establish an inferior court of criminal and civil jurisdiction for that part of Jefferson County, Alabama, included within Precincts 29, 45, 52 and 53, as now constituted, in lieu of all justices of peace and inferior courts created in said precincts and notaries public ex officio justices of peace within said precincts; to define the jurisdiction and powers of said court; to provide for the judge, clerks and other officers; their appointment, duties and compensation; to provide for a place for holding said court, the terms and salaries of said judge and other officers of said court, and otherwise to provide for said court.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 229. To provide that in all counties in this State having a population of three hundred thousand or more according to the last or any subsequent Federal census the probate judges in such counties shall be required to look after, protect against trespassers, and rent any real estate bid in by the State at tax sale and to investigate sales of real estate for taxes and bid in for the State, to notify parties at interest in such real estate, of such sale, to secure redemption or sale of property subject to sale at private sale by the State and to provide that such Probate Judges shall have the powers and perform the duties now or hereafter by law conferred upon or required of land agents in such counties; to require said judges of probate to collect and pay into the county treasury of said counties all costs, fees and commissions authorized by law to be charged for the performances of said services; and to provide that in all of said counties no land agent or other agent shall be appointed to perform any of said duties.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 589. To authorize and direct the County Commission, Board of Revenue, or other like governing body of Jefferson County to draw or cause to be drawn a warrant on the County Treasurer of Jefferson County, Alabama, in favor of John Samuel Hines for the sum of \$1,000 covering actual loss sustained by said John Samuel Hines as a direct and unavoidable result of the performance of his duties as a deputy sheriff in and for said County of Jefferson in the State of Alabama, to direct and require the Treasurer of Jefferson County to pay such warrant out of any money in the treasury not otherwise appropriated, and to provide that this Act shall take effect immediately upon approval by the Governor.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 75. To authorize and provide for the payment of the sum of One Hundred Twenty Three Dollars (\$123.00) for the relief of Mrs. Ann Eliza Strother of Wilcox County, Alabama, who was entitled to an increase in pension for the January 1924 quarter, had she filed her reclassification pension application when she reached the age of seventy years.

Was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Brown	Cowart	Delony
Beasley	Caffey	Craft	Duncan
Bonner	Cooper	Darden	Edmundson

Farmer	Hooton	McDowell	Shepherd
Faulk	Hubbard	Millsap	Walker
Garrett	Kelley	Mullins	Warren
Goodwin	Lapsley	Riddle	Wikle
Hildreth	McDaniel		

—30

The bill:

H. 282. To amend an Act entitled an "Act relating to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney buses, trailers used on the public highway of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama."

Was read a third time at length and passed.

Yeas, 27; nays, 1.

Yeas:

Messrs.:

Bartlett	Craft	Hildreth	Mullins
Beasley	Delony	Hubbard	Scruggs
Bonner	Duncan	Kelley	Teasley
Brown	Edmundson	Lapsley	Walker
Caffey	Farmer	McDaniel	Warren
Cooper	Garrett	McDowell	Wikle
Cowart	Goodwin	Millsap	

—27

Nay: Mr. Faulk

— 1

The bill:

H. 502. Authorizing and requiring the Board of Revenue of Walker County, Alabama, to pay to Jasper Advertiser the sum of One Hundred Eighty Five and 76/100 (\$185.76) out of the general funds of Walker County, Alabama.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 388. To amend House Bill 841 found on page 295 of the Local Acts of 1923, and approved by the Governor, September 27, 1923, the substance of said bill to be amended is as follows: To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads, bridges and ferries of Walker County, Alabama; to define the duties and powers of

the Court of County Commissioners, with regard to the same, and to fix penalties for the violations thereof and to provide for the payment of a per capita tax in lieu of road duty; to provide for the payment of a license or privilege tax on gasoline and to provide for the collection thereof. This bill is to be amended by repealing Sections 17, 18, 19, 20, and 21. Said sections hereby repealed empowered the Court of County Commissioners to provide machinery for the collection of a two cents tax on gasoline, kerosene, and other motor fuels, and Section 17 of said Act levied a local tax of two cents on gasoline, kerosene and other motor fuels. And to provide the time said Act shall go into effect.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 629. To limit the number of members of the several standing committees of the House of Representatives of the Legislature of the State of Alabama.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Riddle
Beasley	Duncan	Hubbard	Scruggs
Bonner	Farmer	Kelley	Shepherd
Brown	Faulk	Lapsley	Walker
Caffey	Garrett	McDaniel	Warren
Cooper	Goodwin	McDowell	Wikle
Cowart	Hildreth	Mullins	

—27

The bill:

H. 304. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of public utilities, and of their relations and contracts with holding companies and affiliated interests; and so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and

charges; facilities and plants; franchises, licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities, and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the Commission or with the provisions of this Act; and, as a part hereof, to amend sections 9750 and 9753 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 26; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Scruggs
Beasley	Edmundson	Kelley	Shepherd
Caffey	Farmer	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden	Hildreth		

—26

The bill:

H. 526. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission, in the public interest, of transportation companies as defined by Section 9709 of the Code of Alabama of 1923, and to provide for the assessment, collection and payment of supervision and inspection fees by such transportation companies.

Was read a third time at length and passed.

Yeas, 26; nays, 1.

Yeas:

Messrs.:

Bartlett	Edmundson	Kelley	Scruggs
Beasley	Farmer	Lapsley	Shepherd
Caffey	Garrett	McDaniel	Teasley
Cooper	Goodwin	McDowell	Walker
Craft	Hildreth	Millsap	Warren
Darden	Hooton	Mullins	Wikle
Delony	Hubbard		

—26

Nay: Mr. Faulk

— 1

The bill:

H. 322. To amend Section 5392 of the 1923 Code of Alabama.

Was read a third time at length and passed.

Yeas, 23; nays, 1.

Yeas:

Messrs.:

Bartlett	Edmundson	Hooton	Mullins
Beasley	Farmer	Hubbard	Scruggs
Caffey	Fletcher	Kelley	Shepherd
Craft	Garrett	Lapsley	Warren
Darden	Goodwin	McDaniel	Wikle
Delony	Hildreth	McDowell	

—23

Nay: Mr. Faulk

— 1

The bill:

H. 596. To further define the powers and duties of the County Commission, or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 680. For the relief of J. L. Hicks, of Dadeville, Alabama, as Treasurer of Tallapoosa County, Alabama.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

REPORT OF COMMITTEE

November 1, 1932.

The Committee appointed under House Joint Resolution No. 165 begs leave to recommend as follows:

1st. That the House and Senate meet at 3:30 P. M.

2nd. That upon recess, the House and Senate meet again at 8:00 P. M. tonight.

CHAS. B. TEASLEY,
S. S. FLETCHER,
R. H. POWELL,
Members from the Senate,
GEO. O. MILLER,
R. J. GOODE,
CHAUNCEY SPARKS,
Members from the House.

COMMITTEE REPORT

On motion of Mr. Powell, the Senate concurred in the foregoing report under H. J. R. 165.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 150. For the relief of A. M. McConnell, of Athens, Alabama.

S. 173. For the relief of Dixie Chemical Products Co., Inc., and to authorize and empower the Board of Revenue of Morgan County, Alabama, to pay within its discretion, to the said Dixie Chemical Products Co., Inc., the sum of \$182.10 with interest from January 23, 1922, which sum of money represents an account created by the County of Morgan through its Sheriff, J. V. May, which account has never been paid.

S. 176. To appropriate the sum of Twenty-five Hundred Dollars for the relief of Mrs. Myrtle Downey.

S. 177. For the relief of Joe Ferguson and to make an appropriation for the relief of Joe Ferguson who served in the State Militia during the year 1924, and while in the line of duty at Camp McClellan, Alabama at the annual encampment was accidentally shot through the left hand with a pistol which caused him great pain and expensive doctor bills, and the total loss of time for several months, together with a deformed hand for life; to create a Commission or Committee composed of the Governor, Attorney General and the Adjutant General of the State of Alabama to adjudicate his said claim and to pay him on the merits of the same from evidence that may be furnished in the form of affidavits and other reliable sources; and to provide that the amount of such compensation shall not exceed Twelve Hundred Dollars.

S. 186. For the relief of Mutual Oil Company, of DeKalb County, Alabama, to refund certain moneys erroneously or illegally collected from said company as money due the State of Alabama as Sales Tax or License on gasoline.

S. 198. To authorize the State Docks Commission to pay to Mrs. Katherine T. Johnson, as widow of John Johnson, deceased, the sum of Five Thousand (\$5,000.00) Dollars out of its treasury, as compensation for the death of the said John Johnson, while acting within the line of his duty as pilot while in the employment of said State Docks Commission.

S. 192. For the relief of W. T. Johnson: To provide for the refund of One Hundred and Fifty Dollars (\$150.00) being the proportionate part paid for a license to do business and such business

was after prohibited by law before the time granted in the license had expired; To authorize the Auditor to issue a voucher for said amount, and to authorize the Treasurer of the State of Alabama to pay the same out of the general fund.

S. 269. To authorize Board of County Commissioners of Madison County, to donate to Local Chapter of American Red Cross in said County, for relief of destitution, proceeds of excise gasoline tax distributed to said County under the provisions of an Act of the Legislature of Alabama, approved July 27, 1931; and to repeal all laws in conflict with this Act.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 20. To repeal that certain Act printed on page 394 of General Acts of Alabama of 1931, and approved July 2, 1931, entitled "An Act to amend an Act entitled an Act to define the business of burial companies, associations and societies; to provide for the better regulation of such companies, associations and societies, and to fix a standard of solvency for such companies, associations, and societies, and to provide penalties for violation of this Act, approved July 29, 1927.

Also:

S. 209. Conferring the right for a period of ninety days from the passage of this Act to institute suit in equity to contest wills where suit has been heretofore instituted within the time permitted before the adoption of Acts Nos. 733 and 731, approved August 1, 1931, but not within the time permitted by said Acts."

Also:

S. 270. "To amend Section 1 of an Act entitled 'An Act to amend Section 2011 of the Code of Alabama of 1923, approved August 31, 1927.'"

J. H. Stewart,
Clerk.

RECESS

At 1 P. M., on motion of Mr. Teasley, the Senate took a recess until 3:30 this afternoon.

AFTERNOON SESSION—TWENTY-NINTH DAY

Tuesday, November 1st, 1932.

The Senate re-assembled at 3:30 o'clock P. M., Lieutenant-Governor Merrill presiding.

ROLL CALL

Present:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden	Hildreth		

—34

REPORTS OF COMMITTEES

Mr. McDowell, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

Mr. Robinson:

H. 167. To make it legal and binding for any person, who is an office holder in or of the State of Alabama, or any county or municipality thereof, or any person holding any civil office of profit under this State, or any county or municipality thereof, whose compensation, salary or fees is fixed by law for his service, and which compensation salary or fees cannot, or shall not be increased or diminished during the term for which he shall have been elected or appointed under the provisions of Sections 118, 150 or 281 of the Constitution of Alabama, to voluntarily diminish his compensation, salary or fees fixed by law; and to provide the manner and way in which such diminished compensation, salary or fees can be made legal and binding.

By Mr. Bains (with substitute):

H. 689. To amend an Act to further regulate, provide for and require bonds of County officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount

or amounts of such bonds; to provide for the payment of premiums on said bonds when the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds. Approved October 22, 1932.

By Mr. Rish (by request):

H. 659. To amend Section 3320 of the Code of Alabama of 1923.

By Mr. Beebe:

H. 633. To authorize and empower the governing bodies of the several counties of the State having jurisdiction of the construction and/or maintenance and repair of public roads and bridges of the county, where the salary and/or other compensation and/or expenses of the members of such governing body, and/or of the clerk and/or attorney for such governing body is paid out of the general fund of the County, to pay one-half of such salaries and/or other compensation and/or expenses out of any money raised or appropriated for the construction and/or maintenance and repair of public roads and bridges of such county.

By Mr. Goodwyn:

H. 337. For the protection of people who have assembled together to receive instruction, for amusement, recreation or any other lawful purpose from certain wrongful acts.

By Mr. Goode:

H. 299. To amend Section 139 of an Act: "To adopt the Code of Laws for the State of Alabama prepared in accordance with the provision of the Acts approved February 18th, 1927, (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioner of Agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama," approved August 24, 1927.

By Mr. Miller:

H. 248. To amend Section 10471 of the Code of Alabama.

By Mr. Stokes (with amendment):

H. 137. To amend Section 779 of the Code of Alabama of 1923.

Mr. McDowell, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kelly of Conecuh:

H. 259. To provide that purchasers, lien holders or mortgagees of real estate or personal property may discharge tax liens against such real estate or personal property purchased or on which a lien or mortgage is held by paying the actual amount of taxes due on such real estate or personal property in certain cases, without pay-

ing the entire amount of taxes due by the person or corporation to whom such real estate or personal property is assessed; and to provide for the repeal of all laws or parts of laws in conflict herewith.

RESOLUTION

The Rules Committee reported the following Senate resolution:

S. R. 97. Resolved by the Senate that the following bills shall be made Special Orders on call of Calendar at re-convening of Senate at 3:30 P. M. on this day.

H. 44 Page 39

H. 551, Page 32

H. 552 Page 33

H. 599 Page 34

H. 621 Page 33

H. 622 Page 34

H. 471 Page 41

H. 242 Page 55

H. 610 Page 38

H. 527 Page 37

H. 261 Page 21

H. 313 Page 18

H. 553 Page 3

H. 603 Page 36

H. 595 Page 22

And on motion of Mr. Powell, said report was concurred in and said bills made Special Orders on call of the Calendar at 3:30 P. M.

The Rules Committee reported the following Senate Joint Resolution:

S. J. R. 98. Be it resolved by the Senate, the House concurring, that

Whereas, The Congress of the United States did, during the month of July, 1932, make it possible for the states, counties and cities to secure funds necessary for work relief for the unemployed and destitute of these respective units, and

Whereas, loans to the counties and cities cause great delays in making funds available to the needy, and

Whereas, the Reconstruction Finance Corporation is now making large loans available immediately to the several states of the Union, and

Whereas, the State of Alabama has the legal authority to secure such a loan or loans upon the proper showing as to the emergency needs of its destitute people, and

Whereas, the information necessary to make the necessary and needful showing with reference to the State of Alabama and its several counties and municipalities is now in hand, and

Whereas, the State of Alabama is, through its Child Welfare Department and the county units of the same, well equipped to administer such a loan or loans, and

Whereas, an application to secure such a loan or loans for the relief of the unemployed and destitute of the State of Alabama as a whole has not been made.

Now, therefore, be it resolved by the Senate, the House concurring,

That the Legislature of Alabama hereby petitions, requests, and urges His Excellency, Governor B. M. Miller, to forthwith make and prosecute to its immediate consummation the necessary and needful application, or applications, to secure to the unemployed and destitute citizens of Alabama the necessary funds to sustain life and health to the end that family life may be perpetuated and the fundamental structure of our State Government preserved.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bills and returns same herewith to the Senate:

S. 179. To fix the minimum school age at which children may enter public schools.

S. 232. To authorize and empower the Board of Revenue or Court of County Commissioners of each and every County in Alabama to expend an amount not to exceed one-third of the total amount that may be received by each county from the levy and collection of any tax on gasoline in the payment of any debt that may have been heretofore incurred by such county for the construction and/or maintenance of roads and bridges.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

S. On motion of Mr. Warren, the Senate non-concurred in the following amendment by the House to S. 179, the title of which is set out in the foregoing Message from the House to-wit:

To amend S. 179 by striking out "July 1st" and inserting in lieu thereof "Sept. 1st."

And request a Committee of Conference.

Yeas, 22; nays, 4.

Yeas:

Messrs.:

Beasley
Bonner
Brown
Caffey
Cooper
Craft

Darden
Duncan
Edmundson
Farmer
Fletcher
Hooton

Hubbard
Kelley
Lapsley
McDowell
Mullins

Powell
Shepherd
Teasley
Warren
Wikle

Nays: Messrs.: Bartlett, Deloney, Garrett, Goodwin

— 4

Thereupon the presiding officer of the Senate, appointed as Conferees on part of the Senate Messrs. Warren, Hubbard and Scruggs.

On motion of Mr. Bonner, the Senate concurred in the following amendment by the House to S. 232, the title of which is set out in the foregoing Message from the House to-wit:

By Mr. Beebe:

Amend S. 232 as follows:

Amend title of said bill by adding the words "or other governing body" after the word "Commissioners" in the second line thereof and by adding the words "or other governing body" after the word "Commissioners" in the 2nd line of Section 1 thereof.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Millsap
Beasley	Edmundson	Hubbard	Mullins
Bonner	Farmer	Kelley	Riddle
Cooper	Fletcher	Lapsley	Shepherd
Craft	Goodwin	McDaniel	Warren
Darden	Hildreth		

—22

BILLS ON THIRD READING

The bill:

H. 532. To fix the salary of the Judge of Probate of Calhoun County and to provide for clerical assistance and other expenses of said office to fix the salary of Tax Collector of Calhoun County, and to provide for clerical assistance and other expenses of said office; to fix the salary of the Tax Assessor of Calhoun County, and to provide for clerical assistance and other expenses of said office; to require each of said officers to collect all the fees, compensations, and allowances, heretofore collected by said officers, and which may hereafter be collected by said officers, and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary, clerical assistance, and other office expenses by the Treasurer of the County.

Was taken up.

The Committee on Local Legislation reported the following substitute for said bill to-wit:

Substitute for H. 532:

A BILL

To be entitled an Act to fix the salary of the Judge of Probate of Calhoun County and to provide for clerical assistance and other expenses of said office; to fix the salary of Tax Collector of Calhoun County, and to provide for clerical assistance and other expenses of said office; to fix the salary of the Tax Assessor of Cal-

houn County, and to provide for clerical assistance and other expenses of said office; to require each of said officers to collect all the fees, compensations, and allowances, heretofore collected by said officers, and which may hereafter be collected by said officers, and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary, clerical assistance, and other office expense by the Treasurer of the County.

Be it enacted by the Legislature of Alabama:

Section 1. That commencing at the beginning of their next term of office, subsequent to the general election to be held on the first Tuesday after the first Monday in November, 1932, the salary of the following named officers of Calhoun County shall be as follows: The salary of the Judge of Probate shall be Five Thousand Dollars per annum net; and he is hereby allowed the further and additional sum of Four Thousand Dollars per annum for clerical assistance and expenses. The salary of the Tax Collector shall be Four Thousand Dollars per annum net; and he is hereby allowed the further and additional sum of Twenty-five Hundred Dollars per annum for clerical assistance and expenses. The salary of the Tax Assessor shall be Four Thousand Dollars per annum net; and he is hereby allowed the further and additional sum of Three Thousand Dollars per annum for clerical assistance and expenses. Payment for clerks and extra help shall be made by the County Treasurer upon an order signed by the officer in whose office the clerks and extra help are employed, fixing the amount and directing to whom the said amounts shall be paid. The above named amounts shall be in lieu of all compensations and allowances now allowed to the respective named officers, and of all compensations and allowances that may hereafter be allowed said officers. These amounts shall be paid out of the county treasury of Calhoun County monthly as the salaries of other county officers are paid.

Section 2. The above named officers shall collect the fees, allowances and compensations heretofore collected by them, and the fees, allowances and compensations which may hereafter be collected by them, and shall cover such fees, allowances and compensations into the County Treasury on or before the fifth day of each month.

Section 3. The Board of Revenue of Calhoun County shall provide said officers with necessary quarters, books, stationery, office, equipment, and other conveniences, necessary for the efficient handling of the affairs of their respective offices.

Section 4. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 206.

And the Speaker named as a Committee of Conference on the part of the House Messrs: Barber, Tate and West.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 525. To authorize game farming to include game birds, animals and fur bearers for propagation purposes in the State of Alabama, to authorize the Commissioner of Games and Fisheries to engage in game farming, to authorize the expenditure of revenue out of Game and Fish Fund therefor, to provide for the issuance of permits to accredited individuals, associations, partnerships, firms and corporations, to provide that the Commissioner of Game and Fisheries shall make regulations governing the issuance of said permits and the conduct of game farms, to provide for the cancellation of permits when terms upon which it is issued are

violated, and to provide for penalties for violation of this Act, etc.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying Message from His Excellency, the Governor, with his objections and proposed amendment to the bill:

H. 416. To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties.

Said Governor's Message containing his objections and proposed amendment being in words and figures as follows, to-wit:

To the Legislature of Alabama,
Montgomery, Alabama.

Gentlemen:

I am herewith returning to the House of Representatives, the body in which it originated, House Bill No. 416 without my approval.

I suggest the following amendments, which if made will cause the bill to meet my approval:

1. The first sentence in Section 1 of said bill should be amended so as to read as follows:

"That on the first Saturday in May 1934, and every two years thereafter, three school trustees shall be elected by the patrons of each school in St. Clair County, Alabama."

2. The first sentence in Section 3 of said bill should be amended so as to read as follows:

"That whenever a vacancy occurs on the Board of School Trustees, elected under the provisions of this Act, the same may be filled by the remaining trustees, or on their failure to act within ten days after the resignation or removal of the other member, or from the date of the vacancy, then the said vacancy shall be filled by the County Board of Education."

These amendments are suggested to meet what appears to be clerical errors in the preparation of the bill and to carry out what was evidently the intent of the author of the bill.

Respectfully,

B. M. MILLER,
Governor.

October 27, 1932.

And the House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 416, by a vote of a majority of the whole number elected to the House, said vote being yeas, 65; nays, 0.

And the House has again passed said bill, H. 416, as amended by the amendment proposed by His Excellency, the Governor, by a vote of a majority of the whole number elected to the House, said vote being yeas, 65; nays, 0.

And said bill together with the Governor's Message containing his objections and proposed amendment to said bill are sent herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Farmer the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to H. 416, the title of which and said Governor's amendment is set out in the foregoing Message from the House.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

Which was the majority of the whole number elected to the Senate.

And said bill, as thus amended, by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 153. To authorize and provide for the payment of the sum of \$1,500.00 for the relief of Mrs. Willie W. Edge, of Blacksburg, Virginia, who sustained personal injuries while riding in an automobile on May 16th, 1931, as a result of being run into or against

by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama.

Also:

S. 154. To authorize and provide for the payment of the sum of \$500.00 for the relief of Harvey A. Edge of Blacksburg, Virginia, whose automobile was damaged on May 16th, 1931 as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama; and who paid out for the treatment and care of his wife, who was injured as a result of said collision between said trailer and the car in which he and his wife were riding, a large sum of money to doctors, hospitals, nurses, and for drugs, board and other expenses.

Also:

S. 237. To amend an Act entitled "An Act to provide for the maintenance repair and improvements of the Alabama Home for Mental Inferiors," approved February 3, 1923.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature is requested:

H. 229. To provide that in all counties in this State having a population of three hundred thousand or more according to the last or any subsequent Federal census the probate judges in such counties shall be required to look after, protect against trespassers, and rent any real estate bid in by the State at tax sale and to investigate sales of real estate for taxes and bid in for the State, to notify parties at interest in such real estate, of such sale, to secure redemption or sale of property subject to sale at private sale by the State and to provide that such Probate Judges shall have the powers and perform the duties now or hereafter by law conferred upon or required of land agents in such counties; to require said judges of probate to collect and pay into the county treasury of said counties all costs, fees and commissions authorized by law to be charged for the performances of said services; and to provide that in all of said counties no land agent or other agent shall be appointed to perform any of said duties.

Also:

H. 314. For the relief of Sam Francis Brennan.

Also:

H. 359. For the relief of J. W. Faulk.

Also:

H. 360. To fix the compensation or salary of the Treasurer of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 502. Authorizing and requiring the Board of Revenue of Walker County, Alabama, to pay to Jasper Advertiser the sum of One Hundred Eighty Five and 76/100 (\$185.76) out of the general funds of Walker County, Alabama.

Also:

H. 515. To create and establish an inferior court of criminal and civil jurisdiction for that part of Jefferson County, Alabama, included within Precincts 29, 45, 52 and 53, as now constituted, in lieu of all justices of peace and inferior courts created in said precincts and notaries public ex officio justices of peace within said precincts; to define the jurisdiction and powers of said court; to provide for the judge, clerks and other officers; their appointment, duties and compensation; to provide for a place for holding said court, the terms and salaries of said judge and other officers of said court, and otherwise to provide for said court.

Also:

H. 589. To authorize and direct the County Commission, Board of Revenue, or other like governing body of Jefferson County to draw or cause to be drawn a warrant on the County Treasurer of Jefferson County, Alabama, in favor of John Samuel Hines for the sum of \$1,000 covering actual loss sustained by said John Samuel Hines as a direct and unavoidable result of the performance of his duties as a deputy sheriff in and for said County of Jefferson in the State of Alabama, to direct and require the Treasurer of Jefferson County to pay such warrant out of any money in the treasury not otherwise appropriated, and to provide that this Act shall take effect immediately upon approval by the Governor.

Also:

H. 591. To provide that all counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census that the work of the probation of convicts shall be declared a County purpose, that the Board of Revenue, County Commission or other governing or like governing bodies of such counties shall be authorized to expend County funds for such purpose and to further provide that such governing bodies in all such counties shall have the power to appoint probation officers and to fix their compensation and to pay the same out of County funds.

Also:

H. 592. To amend Sections 11 and 15 of an Act entitled "An Act to create the Office of Commissioner of Licenses in all Counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census, to prescribe the duties thereof, define the powers, fix the term of office, the method of election of such commission and to provide for the compensation of said officer; to provide for the necessary clerical assistants in said office and to further provide that each Commissioner of Li-

censes shall assess for taxation and collect the ad valorem taxes and issue the licenses and distribute the tags on all motor vehicles in such Counties and to transfer the duties from the Tax Assessor, Tax Collector and Probate Judge in such Counties to the Commissioner of Licenses of all matters relative to the registration, assessment for taxes, collection of ad valorem taxes and issuance of licenses, and distribution of tags for motor vehicles," approved July 16, 1931.

Also:

H. 596. To further define the powers and duties of the County Commission, or other governing body of Jefferson County, Alabama, by whatever name said governing body may now or hereafter be called.

Also:

H. 680. For the relief of J. L. Hicks, of Dadeville, Alabama, as Treasurer of Tallapoosa County, Alabama.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Mills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 20. To repeal that certain act printed on page 394 of General Acts of Alabama of 1931, and approved July 2, 1931, entitled "An Act to amend an Act entitled an Act to define the business of burial companies, associations and societies; to provide for the better regulation of such companies, associations and societies, and to fix a standard of solvency for such companies, associations, and societies, and to provide penalties for violation of this act, approved July 29, 1927.

S. 153. To authorize and provide for the payment of the sum of \$1,500.00 for the relief of Mrs. Willie W. Edge of Blacksburg, Virginia, who sustained personal injuries while riding in an automobile on May 16th, 1931, as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama.

S. 154. To authorize and provide for the payment of the sum of \$500.00 for the relief of Harvey A. Edge of Blacksburg, Virginia, whose automobile was damaged on May 16th, 1931 as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama; and who paid out for the treatment and care of his wife, who was injured as a result of said collision between said trailer and the car in which he and his wife were riding, a large sum of money to doctors, hospitals, nurses, and for drugs, board and other expenses.

S. 209. Conferring the right for a period of ninety days from the passage of this Act to institute suit in equity to contest wills where suit has been heretofore instituted within the time permitted before the adoption of Acts Nos. 733 and 731, approved August 1, 1931, but not within the time permitted by said Acts."

S. 237. To amend an Act entitled "An Act to provide for the maintenance repair and improvements of the Alabama Home for Mental Inferiors", approved February 3, 1923.

S. 266. To create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission; to authorize said Commission to make reductions in all assessments against property included in the following paving ventures, to-wit:

- Series "W"—21st Paving
- Series "X"—22nd Paving
- Series "Y"—23rd Paving
- Series "Z"—24th Paving
- Series "A-B"—25th Paving
- Series "C-D"—26th-A Paving
- Series "I-J"—26th Paving
- Series "M-N"—27th Paving

To provide for the payment of reducing assessments and any refunds due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix a penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal for the finding of such Commission.

S. 270. "To amend Section 1 of an Act entitled 'An Act to amend Section 2011 of the Code of Alabama of 1923, approved August 31, 1927'."

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Report of Committee on Enrolled Bills.

BILLS ON THIRD READING

The bill:

H. 535. To abolish the offices of tax assessor and tax collector for Coosa County, Alabama, and to create and establish in lieu thereof, the office of tax assessor-collector for Coosa County, Alabama; to provide when said offices of tax assessor and tax collector shall be abolished, and when said office of tax assessor-collector shall be established and become effective; to provide when said tax assessor-collector shall be elected and to prescribe his term of office, authority, powers and duties; to provide for appointment of a deputy, for his authority and duties, to assist said tax assessor-collector and for their compensation; to provide that said tax assessor-collector shall be paid a salary in lieu ~~of an office compensation~~ for performing the duties of said office, the amount thereof and the manner in which the same shall be paid; to provide that said deputy shall be paid a salary for performing the duties of his office, the amount thereof and the manner in which the same shall be paid; to designate and set aside all fees, percentage, commissions and other allowances and compensations which are now or may hereafter be provided for by law and collected thereunder and paid as fees, percentages, commissions and other allowances or compensations to the tax assessor and/or to the tax collector of Coosa County, Alabama, or which may hereafter be provided for by law and collected for such purpose or purposes, as a special fund to be collected by said tax assessor-collector and paid by him into the treasury of Coosa County, Alabama; to provide that out of such special funds the salary of such tax assessor-collector, the salary of said deputy be paid; to provide for the manner and to what purpose any excess of said special fund, over and above such salaries and compensations, may be expended; and to provide for the repeal of all laws, local, special and general, in conflict herewith.

Was taken up.

The Standing Committee on Local Legislation reported the following Substitute for said bill to-wit:

Substitute for H. 535:

A BILL

To be entitled an Act to abolish the offices of tax collector and tax assessor of Coosa County, Alabama, and to create in lieu there-

of the office of tax assessor-collector for Coosa County, Alabama; to provide for the nomination and election of tax assessor-collector, to define his duties and powers, to prescribe his qualifications and to fix his salary or compensation and provide for payment thereof; to require the tax assessor-collector to execute proper and necessary bonds for the faithful discharge of his duties as now provided by law for tax collectors and tax assessors in the State of Alabama are required to execute; to require said tax assessor-collector to collect all commissions and fees now required by law for tax collectors and tax assessors to collect and to pay the same into the general funds of Coosa County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. The offices of tax collector and tax assessor of Coosa County, Alabama, are hereby abolished, and in lieu of offices of tax assessor and tax collector of Coosa County, Alabama, the office of tax assessor-collector for Coosa County, Alabama, is hereby created and established.

Section 2. When this act becomes a law, or as soon after as is convenient, if the Senate of Alabama is in session, the said Senate of Alabama shall elect a tax assessor-collector for Coosa County, Alabama; if the Senate of Alabama is not in session when this act becomes a law, or should the Senate fail, refuse, or neglect to elect the tax assessor-collector for Coosa County, Alabama, then in that event the Governor of Alabama shall appoint a tax assessor-collector for Coosa County, Alabama.

Section 3. The term of office of the tax assessor-collector herein created shall be, if nominated or appointed as provided in Section 2 of this Act, shall be until the general election in 1934 and until his successor is elected and qualified. The tax assessor-collector thus elected shall hold office until the first day of September, 1937 and until his successor is elected and qualifies. Thereafter the term of office of the tax assessor-collector shall be for four years and until his successor is elected and qualifies.

Section 4. The tax assessor-collector shall perform all the duties now required by general law for tax assessors and collectors in this State, unless otherwise provided in this act.

Section 5. Before entering upon his duties as tax assessor-collector, the said tax assessor-collector shall execute a good and solvent bond for the faithful discharge of his duties as now required by law for tax assessors and tax collectors in this State, in a sum as provided for both tax assessor and tax collector of this State in Coosa County, Alabama.

Section 6. The tax assessor-collector shall receive for his entire compensation or salary the sum of Twenty-Four Hundred (\$2400.00) Dollars per annum, divided into twelve equal monthly installments, on a warrant drawn by the Probate Judge of Coosa County, Alabama on the first day of each month for the succeeding

month's salary, on the County Treasurer or Depositary and payable out of any general funds in the County Treasury. In addition the salary herein provided the sum of Six Hundred (\$600.00) Dollars annually shall be paid to the Deputy Tax Assessor-Collector of Coosa County, Alabama, for a term of not less than eight months work, payable in equal monthly installments on warrants drawn by the Probate Judge of Coosa County, Alabama and payable out of the special fund herein created.

Section 7. The tax assessor-collector shall have power and authority to appoint some suitable and qualified person as a deputy tax assessor-collector to discharge any duties of the tax assessor-collector may assign him. The actions of the deputy tax assessor-collector shall be deemed to be the acts of the assessor-collector and the bond of the tax assessor-collector shall cover the acts of the deputy assessor-collector and an action on the bond may be maintained by anyone injured, including the County and State, for the malfeasance or misfeasance of either the tax assessor-collector or that of his deputy tax assessor-collector.

Section 8. The bond required in Section 5 of this Act may be executed or made either by a surety company, authorized to do

to be approved as now provided by law. If the bond is made by a surety company, the county shall pay the premium on said bond.

Section 9. The tax assessor-collector is hereby relieved of making a book of assessments for the county, but he shall compile the original assessment sheet by precinct or beats and this shall constitute to all intents and purposes the book of assessments for Coosa County, Alabama. Said original sheets shall be securely bound for preservation.

Section 10. The tax assessor-collector of Coosa County, Alabama shall collect all commissions, fees and penalties and all other compensation now required by law to be collected by the tax collectors of this State for tax assessors and tax collectors and shall pay said sums or amounts into the County Treasury on or by the first of each month after they are collected; and such sums shall constitute a special fund from which the salary of the tax assessor-collector and that of the deputy assessor-collector shall be paid and it shall constitute a preferred claim against said special fund. On the first of each fiscal year the amount remaining in the special fund thus created shall be applied to the payment of the indebtedness or the interest thereon of Coosa County, Alabama.

Section 11. The provisions of this Act shall be liberally construed to meet the evident purposes of the same, and should any court of competent jurisdiction, declare any part of this Act unconstitutional or void, then the remaining part not affected and capable of being enforced, shall remain in full force and effect. It is hereby declared to be the primary purpose of this Act to abolish

the offices of tax collector and tax assessor of Coosa County, Alabama and to confer all their duties, powers and obligations upon the offices of tax assessor-collector for Coosa County, Alabama, and to save the County of the salary of at least one of said officials, or as much thereof as this Act provides.

Section 12. The provisions of this Act shall go into effect on January 1, 1933 when the tax assessor and the tax collector of Coosa County, Alabama are hereby required and directed to deliver up to the tax assessor-collector of Coosa County, Alabama all their records, books, furniture, and offices to the said tax assessor-collector of Coosa County, Alabama.

Section 13. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill:

H. 261. To provide for the relief of Mrs. Maude Adams Beckman, widow of C. P. Beckman, deceased, and mother of C. P. Beckman, Jr., deceased and the three minor children of the said C. P. Beckman.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Fletcher	Kelley
Beasley	Delony	Garrett	Lapsley
Bonner	Duncan	Goodwin	McDaniel
Caffey	Edmundson	Hooton	McDowell
Cooper	Farmer	Hubbard	Shepherd
Cowart	Faulk		

—22

The bill:

H. 551. To require that all sentences for a term or terms of less than six months as penalties for offenses and to enforce payment or satisfaction of fine imposed in misdemeanor cases tried and convicted in the courts of all counties of this State for violations of the criminal laws of this State, where such counties do not now or may not hereafter work their county convicts on the public roads or at other work in such counties, shall be to imprisonment in the county jail for the term or terms of such sentences.

Was taken up.

The Committee on Judiciary reported the following amendment to said bill to-wit:

Amend the Caption and Section 1 of said H. 551 by striking ~~therefrom the words "six months" wherever they appear therein~~ therein and insert in lieu thereof the words "four months."

Which was adopted.

Yeas, 18; nays, 8.

Yeas:

Messrs.:

Bartlett	Cooper	Faulk	Riddle
Beasley	Craft	Fletcher	Shepherd
Bonner	Darden	Lapsley	Teasley
Brown	Duncan	McDaniel	Walker
Caffey	Edmundson		

—18

Nays:

Messrs.:

Cowart	Garrett	Hildreth	Kelley
Delony	Goodwin	Hooton	McDowell

— 8

On motion of Mr. McDowell, said bill, as thus amended, was indefinitely postponed.

On motion of Mr. Hildreth, the Senate, indefinitely postponed further consideration of the bill:

H. 552. To amend an Act entitled, "An Act to further regulate the custody, care, maintenance and use of the county convicts by the several counties of the State and by the State through its State board of administration, and to repeal all laws and parts of laws in conflict herewith." (Approved February 18, 1927.)

On motion of Mr. McDowell, the Senate indefinitely postponed further consideration of the bill:

H. 622. To require all warrants, claims, drafts or certificates for salaries, expenses or other claims of State and County officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable, in whole or in part, upon warrants, claims, drafts or certificates drawn upon the County Treasurer, County Treasury, or County Depository of Marengo County, Alabama, by such officers or persons, to be itemized, verified and presented to the Board of Revenue of said County, for audit, allowance and payment; to take away from such officers and other persons the authority to draw such warrants, claims, drafts or certificates; and to provide that all warrants, claims, drafts or certificates drawn on or against County funds hereafter shall be authorized and drawn only by the Board of Revenue of Marengo County, Alabama.

The bill:

H. 44. To repeal an Act of the Legislature of Alabama approved July 10th, 1931, entitled "An Act to provide that unless otherwise stated in the Act or Resolution calling such election, whenever any special election is ordered by the Legislature upon any proposed amendment or amendments to the Constitution of this State affecting only one municipality in this State, then if such municipality has as much or more than 68,000 and under 200,000 inhabitants according to the last or any subsequent Federal Census, and if no amendment or amendments other than those affecting said municipality are submitted to the voters of the State at said election, the expense of holding such election, including the cost of publication, shall be paid by the municipality so affected."

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill:

H. 599. To regulate and prohibit the use of steel traps in Marengo County, Alabama.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Bonner	Caffey	Cowart
Beasley	Brown	Cooper	Craft

Darden	Garrett	Lapsley	Scruggs
Delony	Goodwin	McDaniel	Shepherd
Duncan	Hildreth	McDowell	Teasley
Edmundson	Hooton	Millsap	Walker
Farmer	Hubbard	Powell	Warren
Faulk	Kelley	Riddle	Wikle
Fletcher			

—33

The bill:

H. 621. To amend Section 7 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren

Darden

—33

The bill:

H. 471. To prohibit fraud and deceits in the sale of liquid motor fuels, lubricating oils, greases or other petroleum products; to require the name of the owner of all pumps, containers or other dispensing equipment used in the retail selling of petroleum products or the brand, trade mark or trade name of said petroleum products to be placed and kept placed on said pumps, containers or other dispensing equipment; to prohibit the erasing, defacement, destruction or removal of the name of the owner of said pumps, containers or other dispensing equipment or the said brand, trade mark or trade name of the petroleum products or any word, figure or symbol placed on said pumps, containers or other dispensing equipment without the consent of said owner; to prohibit the sale, exposing or offering for sale of said petroleum products under any name other than the name or trade name given thereto or designated therefor by the manufacturer thereof, and to prohibit adulteration of said product or the substitution of other products therefor; to prohibit the sale or storage of said petroleum products in equipment other than that indicated by the brand, name, trade mark or trade name placed upon said equipment; to prohibit the delivery of petroleum products into any containers, tanks or other equipment other than as indicated by the brand, name, trade name or trade mark appearing on such equipment; to prohibit the imitation by any person, with the intent to deceive of the design, symbol, emblem,

color scheme or trade name of any other marketer of petroleum products or the markings of any equipment of any such marketer, without the consent of such other marketer; to provide penalties for the violations of the provisions of this Act; To provide rewards for persons furnishing information leading to the arrest and conviction of persons violating any of the provisions of this Act; to repeal all laws or parts of laws inconsistent with the provisions of this Act, and to repeal an act entitled "An Act to prohibit the sale of liquid fuels, lubricating oils, and similar products, under false or fictitious names; the use of containers, tanks, pumps or other distributing equipment, for the storage or sale of fuels, oils, or similar products, other than those indicated by the name, device, sign or distinguishing marks, upon such containers, pumps or distributing equipment; to prohibit adulteration, and fixing penalties." approved July 31, 1931.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Messrs.:

Yeas:

Bartlett	Craft	Fletcher	McDaniel
Beasley	Darden	Garrett	Millsap
Brown	Delony	Hooton	Mullins
Caffey	Duncan	Hubbard	Shepherd
Cowart	Faulk	Lapsley	Walker

—20

The bill:

H. 242. To permit the County Executive Committee of any political party to require that members of said County Executive Committee be elected by the qualified electors of the County.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Goodwin	Millsap
Beasley	Darden	Hooton	Mullins
Caffey	Delony	Lapsley	Shepherd
Cooper	Duncan	McDaniel	Walker
Cowart	Garrett	McDowell	Wikle

—20

The bill:

H. 610. To amend Section 130 of the School Code of Alabama.

Was read a third time at length and passed.

Yeas, 20; nays, 1.

Yeas:

Messrs.:

Bartlett	Craft	Garrett	Millsap
Beasley	Darden	Goodwin	Mullins
Caffey	Delony	Lapsley	Powell
Cooper	Duncan	McDaniel	Walker
Cowart	Edmundson	McDowell	Wikle

—20

Nay: Mr. Hooton.

— 1

The bill:

H. 527. To make State aid available for the repair and equipment of municipally owned school buildings under the control of county boards of education.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett

Darden

Goodwin

Mullins

Beasley

Delony

Hooton

Riddle

Cooper

Duncan

Hubbard

Shepherd

Cowart

Edmundson

Lapsley

Walker

Craft

Garrett

McDowell

Wikle

—20

The bill:

H. 313. To grant the right and privilege to any regularly and duly licensed broadcasting station or company operating within the State of Alabama to broadcast by radio all athletic contests or games staged by or sponsored by or participated in, within the

~~State of Alabama, by any educational institution located within the~~
State of Alabama and which derives or receives any financial aid, support or contribution from the State of Alabama or any political subdivision or agency thereof; and to make it unlawful for any executive officer, board of trustees, or any person acting on behalf of any such educational institution to refuse or prohibit such right or privilege to any such broadcasting company or station.

Was taken up.

Mr. Hooton offered the following amendment to said bill to-wit:

Amendment to H. 313:

By adding paragraph 5 to said bill to-wit: "Provided however that this Act shall not effect any games already contracted by any of said institutions or any games or games to be played by such institutions during the year 1932."

Which was adopted.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett

Duncan

Lapsley

Riddle

Beasley

Edmundson

McDaniel

Shepherd

Cowart

Garrett

Millsap

Walker

Craft

Goodwin

Mullins

Wikle

Delony

Hooton

—18

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Garrett	McDaniel
Beasley	Delony	Goodwin	Mullins
Cooper	Duncan	Hildreth	Shepherd
Cowart	Edmundson	Hooton	Walker
Craft	Fletcher	Lapsley	Wikle

—20

The bill:

H. 508. To fix the compensation or salary of the Deputy Clerk of the Criminal Division of the Circuit Court of the Tenth Judicial Circuit of Alabama, and to regulate the payment of the same.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill:

H. 553. To amend an Act entitled "To provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government", by re-enacting and amending Section 31 of said Act to provide for the abandonment of commission form of government and the resumption of Aldermanic form of government; to provide for an election of those officers prescribed by the existing general laws of the State relating to municipalities not of the commission government character, the time of holding such election, and the terms of the officers so elected, and to provide for the repeal of all laws in conflict therewith.

Was taken up.

Mr. Craft offered the following Substitute for said bill, to-wit:

A BILL

To be entitled an act to amend an Act entitled "To provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama, which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," by re-enacting and amending Section 31 of said Act to provide for the ~~abandonment of commission form of government and the resumption of Aldermanic form of government~~; to provide for an election of those officers prescribed by the existing general laws of the State relating to municipalities not of the commission government character, the time of holding such election, and the terms of the officers so elected, and to provide for the repeal of all laws in conflict therewith.

Be it enacted by the Legislature of Alabama:

Section 1. That Section 31 of an Act of the Legislature of Alabama approved April 8th, 1911, entitled an Act "To provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials, to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government",

be amended and re-enacted so as to read as follows:

Any city which shall have operated for more than six years under the provisions of this act may abandon such organization hereunder and resume its former form of government by proceeding as follows: Upon the petition of a number of qualified voters within said city equal to or exceeding twenty percent of the vote received by the candidate who received the greatest number of votes at the last preceding municipal election, a special election shall be called by the board of commissioners not less than sixty nor more than ninety days before the time provided in this Act for the election of a successor to the commissioner whose term shall next thereafter expire; at which the following proposition shall be submitted: "Shall the city of _____ abandon its organization under the provisions of law providing for a commission form of government and resume its former or aldermanic form of government under existing general laws relating to municipalities not of the commission government character? If a majority of the votes at such special election be in favor of such proposition, the mayor of such city shall thereupon call an election to be held at the time provided in this act for the election of the City commissioner whose term shall expire next thereafter, at which election there shall be elected those officers prescribed by the existing general law of the State relating to municipalities not of the commission government character, and upon the qualification of such officers so elected such city shall become a city of non-commission character under such general law of the state, and the terms of office of the commissioners shall expire. The terms of office of the officers so elected at such election shall expire when their successors are duly elected at the next general election, as provided by law, and shall have qualified. But such change shall not in any manner or degree affect the property, rights or liabilities of such city but shall merely extend to such change in the form of government. The sufficiency of such petition shall be determined, the election ordered and the results thereof declared in the manner provided for other elections in this act and the general laws of this State, not inconsistent therewith. When an election is held under the provisions of this section, no other election may be called for the same or similar purpose for at least two years next thereafter," and for each election to be held as herein provided, the Board of Commissioners of said City shall appoint the election officials who shall conduct said elections.

Section 2: The purpose and intention of the re-enactment and amendment of Section 31 of the Act of April 8, 1911, as set out in Section 1 hereof, is to remedy the failure to embody and include in the title of the Act of April 8, 1911, reference to the abandonment of the commission form of government as therein provided, the method thereof and the return to the aldermanic form of government, and to provide for an election of those officers prescribed by the existing general laws of the state relating to municipalities

not of the commission government character, the time of holding such election, and the terms of the officers so elected at such election.

Section 3. All laws and parts of laws in conflict herewith are hereby repealed.

Section 4. This Act shall take effect immediately upon its approval.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 603. To establish a Budget Commission and to provide for the preparation of a budget for Mobile County; to provide that the appropriations by the Board of Revenue and Road Commissioners of Mobile County shall not exceed the income of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by Mobile County, or any department or agency of Mobile County, having charge of the disbursements and expenses of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

Was taken up.

The Committee on Local Legislation reported the following amendment to said bill to-wit:

To amend Section 1 of H. 603 by adding: "County Treasurer of Mobile County, and right after the word "the" where it first appears in the fourth line of said section, and by striking out the following portion of the paragraph, the last clause of said section which is as follows: "all of whom shall receive compensation as now provided by law for such services", and adding in its place: "all of whom shall not receive any additional compensation for such services."

On motion of Mr. Craft, said amendment was laid upon the table.

Said bill was then read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

—33

The bill:

H. 595. To fix the salary of the Bond Clerk in the office of the State Treasurer and to provide for the payment of same and to make an appropriation therefor.

Was read a third time at length and passed.

Yeas, 18; nays, 4.

Yeas:

Messrs.:

Bartlett	Darden	Kelley	Mullins
Beasley	Delony	Lapsley	Shepherd
Cooper	Edmundson	McDaniel	Teasley
Cowart	Hooton	McDowell	Wikle
Craft	Hubbard		

—18

Nays: Messrs. Bonner, Duncan, Faulk, Millsap.

— 4

The bill:

H. 650. For relief of W. T. Scales.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Fletcher	Lapsley
Beasley	Darden	Garrett	McDaniel
Bonner	Delony	Goodwin	McDowell
Brown	Duncan	Hildreth	Millsap
Caffey	Edmundson	Hooton	Mullins
Cooper	Farmer	Hubbard	Powell
Cowart	Faulk	Kelley	Riddle

Scruggs
Shepherd

Walker

Warren

Wikle

—33

The bill:

H. 651. For the relief of E. C. Godfrey.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Kelley
Lapsley
McDaniel
McDowell
Millsap

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

H. 372. To require all county officers in Jefferson County, Alabama, to pay into the county treasury all fees, costs, commissions and charges of court, derived from said offices, or moneys charged or collected by them, by reason of any official act or for the performance of any service connected directly or indirectly with said offices, or for the sale of any information or copies of any documents, papers, maps or records, relating directly or indirectly to said offices, and to prescribe that the salaries fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their offices or any act or service charged for by them growing out of the performance of their official duties.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Kelley
Lapsley
McDaniel
McDowell
Millsap

Mullins
Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren

—33

The bill:

H. 370. To fix the compensation or salary of the Tax Collector of Jefferson County, Alabama, and to regulate the payment thereof.

Was taken up.

Mr. Edmundson offered the following amendment to said bill to-wit:

Amend H. 370 as follows:

First: By striking out the words and figures forty-eight hundred (\$4800.00) dollars and inserting in lieu thereof the words and figures six thousand (\$6000.00) dollars.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

The bill:

H. 364. To fix the compensation or salary of the Sheriff of Jefferson County, Alabama, and to regulate the payment thereof.

Was taken up.

Mr. Edmundson offered the following amendment to said bill to-wit:

Amend H. 364 as follows: By striking out the words and figures six thousand (\$6000.00) dollars and inserting in lieu thereof the words and figures seventy-five hundred (\$7500.00) dollars.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Farmer	Hooton
Beasley	Craft	Faulk	Hubbard
Bonner	Darden	Fletcher	Lapsley
Brown	Delony	Garrett	McDaniel
Caffey	Duncan	Goodwin	McDowell
Cooper	Edmundson	Hildreth	Millsap

Mullins
Powell
Riddle

Scruggs
Shepherd

Teasley
Walker

Warren
Wikle

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Cowart
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Lapsley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

H. 369. To fix the compensation or salary of the Circuit Clerk of Jefferson County, Alabama, and to regulate the payment thereof.

Was read a third time at length and passed.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Craft
Darden
Delony

Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin
Hildreth

Hooton
Hubbard
Kelley
Lapsley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

H. 361. To fix the compensation or salary of the Probate Judge of Jefferson County, Alabama, and to regulate the payment thereof.

Was taken up.

Mr. Edmundson offered the following amendment to said bill to-wit:

Amend H. 361 as follows: By striking out the words and figures six thousand (\$6000.00) dollars where said words and figures appear therein and inserting in lieu thereof the words and figures sixty-five hundred (\$6500.00) dollars.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley

Bonner
Brown

Caffey
Cooper

Cowart
Craft

Darden	Garrett	Lapsley	Riddle
Delony	Goodwin	McDaniel	Shepherd
Duncan	Hildreth	McDowell	Teasley
Edmundson	Hooton	Millsap	Walker
Farmer	Hubbard	Mullins	Warren
Faulk	Kelley	Powell	Wikle
Fletcher			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

The bill:

H. 362. To fix the compensation or salary of the Tax Assessor of Jefferson County, Alabama, and to regulate the payment thereof. Was taken up.

Mr. Edmundson offered the following amendment to said bill to-wit:

Amend H. 362 as follows:

First: By striking out the words and figures forty-eight hundred (\$4800.00) dollars and inserting in lieu thereof the words and figures six thousand (\$6000.00) dollars.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

—33

Said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Wikle
Darden			

—33

The bill:

H. 507. To prevent the practice of nepotism by public officials of Jefferson County, Alabama, by employing persons related within the fourth degree by blood or marriage computed according to the rules of civil law or related within said degree to any other public official of said county to define the term "public official" as used in this Act, to prohibit such public official from approving or paying any salary, fee or compensation of such ineligible employee, to prescribe the penalty for the violation of this Act. To except from its operation certain employees who have been in the public employment for a prescribed time.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 208. To amend Section 25 of an Act entitled "An Act to establish an Inferior Court of Record in all counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to provide officers therefor and fix their qualifications, powers, duties and compensation; to prescribe the practice and procedure therein and the way, manner and appeals therefrom," Approved July 20, 1931. (General Acts 1931 page 621, et seq).

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Bonner	Caffey	Cowart
Beasley	Brown	Cooper	Craft

Darden	Garrett	Lapsley	Riddle
Delony	Goodwin	McDaniel	Scruggs
Duncan	Hildreth	McDowell	Shepherd
Edmundson	Hooton	Millsap	Teasley
Farmer	Hubbard	Mullins	Walker
Faulk	Kelley	Powell	Warren
Fletcher			

—33

The bill:

H. 512. To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualifications of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such board.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

—33

The bill:

H. 509. To fix the compensation or salary of the Deputy Clerk of the Branch of the Circuit Court of the Tenth Judicial Circuit of Alabama, sitting at Bessemer, in Jefferson County, Alabama, and to regulate the payment of the same.

Was taken up.

The Committee on Banking and Insurance reported the following amendment to said bill to-wit:

Amend H. 509 as follows:

FIRST: By striking out the words and figures forty-two hundred (\$4200.00) dollars and inserting in lieu thereof, the words and figures, thirty-six hundred (\$3600.00) dollars.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Bonner	Caffey	Cowart
Beasley	Brown	Cooper	Craft

Darden	Garrett	Lapsley	Scruggs
Delony	Goodwin	McDaniel	Shepherd
Duncan	Hildreth	Millsap	Teasley
Edmundson	Hooton	Mullins	Walker
Farmer	Hubbard	Powell	Warren
Faulk	Kelley	Riddle	Wikle
Fletcher			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill.

H. 594. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue, or other governing body, of counties having a population of more than Two Hundred Thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid."

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

—33

The bill:

H. 598. To further regulate the arrest, confinement and care of insane persons in all counties of the State having a population of 300,000 or more according to the last or any subsequent Federal Census, and to further define the duties of such counties and their officers with respect thereto.

Was read a third time at length and passed.
Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

The bill:

H. 647. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, two hundred thousand (200,000) population or more according to the last or any subsequent federal census, and to provide for the payment of such supplemental salaries.

Was taken up.

Mr. Edmundson offered the following amendment to said bill, to-wit:

Amend H. 647 as follows:

First: By striking out Section 2 thereof and inserting in lieu thereof the following: This Act shall become effective upon its passage and all laws and parts of laws in conflict herewith are hereby repealed and all laws and parts of laws supplementing the salaries of such judges from the county treasuries of such circuits are hereby repealed.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Mullins	Wikle
Darden			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Brown	Cowart	Delony
Beasley	Caffey	Craft	Duncan
Bonner	Cooper	Darden	Edmundson

Farmer	Hooton	McDowell	Shepherd
Faulk	Hubbard	Mullins	Teasley
Fletcher	Kelley	Powell	Walker
Garrett	Lapsley	Riddle	Warren
Goodwin	McDaniel	Scruggs	Wikle
Hildreth			

—33

The bill:

H. 42. To repeal an Act of the Legislature of Alabama passed May 29th, 1931 entitled "An Act to authorize cities and towns in this State having a population of more than sixty-seven thousand and under one hundred fifty thousand people according to the last or any subsequent Federal census to impose, fix and require the payment of a license tax upon dealers engaged in selling nonintoxicating malt extract to consumers and to authorize such cities to require sworn reports of the amount of their sales by all such dealers and to prohibit the engaging in business by such dealers without the payment of such license and to fix and prescribe fines and penalties for doing business as such dealers without the payment of such license and/or for failure to make and file such reports and provide to what purpose the net proceeds of all such license taxes shall be devoted"

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

The bill:

H. 38. To repeal an Act of the Legislature of Alabama passed July 2, 1931 entitled "An Act providing in all counties in the State of Alabama now having or which may hereafter have a population according to the last Federal census of not less one hundred thousand and not more than one hundred seventy-five thousand, for fees to attorneys appointed by the circuit judge or judges of such counties, to represent persons who have been indicted by the grand jury of such county for the commission of a crime, the maximum penalty for which, under the law, is death, the amount of such fees, and the mode of payment."

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

The bill:

H. 43. To repeal an Act of the Legislature of Alabama approved July 20th, 1931, entitled "An Act to authorize the County Commissioners, Board of Revenue, Board of Revenue and Road Commissioners, or any board exercising such jurisdiction in any County in the State of Alabama, having a population of not less than one hundred and five thousand and not more than three hundred thousand according to the last Federal Census, or any succeeding Federal Census, to levy and impose an excise tax of not more than five cents per gallon on all kerosene manufactured, distributed or sold by any person, firm or corporation in such County, and to provide for the payment and collection of such tax, to provide that all monies for such tax shall be paid into the County Treasury or County Depository, and to be used for road and bridge purposes only in such County; and further to provide for the enforcement of the Act and fixing punishment and penalties for the violation of any of the provisions thereof."

Was read a third time at length and passed.

Yeas, 33; *nays*, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill:

H. 490. To provide for the appointment of Enumerators to take the School Census in all counties having a population of not less than 100,000 and not more than 300,000, according to the last or any subsequent Federal Census, to provide for fixing of their compensation and how said compensation shall be paid.

Was read a third time at length and passed.

Yeas, 33; *nays*, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

—33

The bill:

H. 436. To repeal an Act passed by the Legislature of Alabama July 25th, 1931 entitled "An Act to validate, ratify and confirm the previous Acts of the Board of Revenue and Road Commissioners of Mobile County or those acting as such when acting or attempting to act for said County."

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill:

H. 437. To relieve all persons of any legal obligations to work on the public roads in Mobile County, Alabama or to pay any money in lieu of such legal obligations to work on the public roads in Mobile County, Alabama.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Shepherd
Caffey	Faulk	Lapsley	Teasley
Cooper	Fletcher	McDaniel	Walker
Cowart	Garrett	McDowell	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

- 33

The bill:

H. 435. To amend an Act entitled "An Act to alter and re-arrange the boundaries of the City of Mobile," by repealing Section 4 of said Act.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill:

H. 325. For the relief of Lieutenant Charles A. Jones, Junior, First Lieutenant of the One Hundred and Sixth Observation Squadron of the Alabama National Guard.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs.:			
Bartlett	Craft	Garrett	McDowell
Beasley	Darden	Goodwin	Millsap
Bonner	Delony	Hildreth	Mullins
Brown	Duncan	Hubbard	Riddle
Cooper	Farmer	Lapsley	Teasley
Cowart	Faulk	McDaniel	Wikle

—24

The bill:

H. 667. To authorize and empower the Courts of County Commissioners in all counties of Alabama which now have or may hereafter have a population of less than eighteen thousand, according to the last or any subsequent Federal Census, to transfer any Road and Bridge Funds that were levied and collected within the County or any Fine and Forfeiture Funds of the County at any meeting of said Court in any calendar year to the General Fund of the County and to ratify like transfers heretofore made and to repeal all laws and parts of laws in conflict with this Act.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:			
Bartlett	Caffey	Darden	Faulk
Beasley	Cooper	Delony	Fletcher
Bonner	Cowart	Duncan	Garrett
Brown	Craft	Farmer	Goodwin

Hildreth
Hooton
Hubbard
Kelley
Lapsley

McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd

Teasley
Walker
Warren
Wikle

—33

The bill:

H. 668. To authorize and empower the Courts of County Commissioners in all Counties of Alabama which now have or may hereafter have a population of less than eighteen thousand according to the last or any subsequent Federal Census to use twenty per cent of the funds derived from the excise tax on gasoline or other liquid motor fuels, levied under the Act of the Legislature of Alabama, approved February 10, 1923, entitled "An Act imposing an excise tax on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act," which is to be paid to said counties under the provisions of Sec. 83 of the Act of the Legislature of Alabama approved August 22, 1922, entitled "An Act in reference to

and to further provide for, the general revenue of the State of Alabama," for the purpose of paying the past due and future salaries of school teachers for teaching school in class room work in the respective counties, and to repeal all laws and parts of laws in conflict with this Act.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Garrett
Goodwin
Hildreth

Hooton
Hubbard
Kelley
Lapsley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

On motion of Mr. Craft, the Senate indefinitely postponed further consideration of the bills:

H. 35. To amend an Act of the Legislature approved September 26, 1923 entitled "An Act to fix the compensation of members of the Courts of County Commissioners, Boards of Revenue, or other courts of like jurisdiction in this State, in counties which now have, or which may hereafter have, a population of ninety-six thousand and not exceeding one hundred fifty thousand people, according to the last Federal census or any such census, which may

hereafter be taken, for services actually performed by said officers, as members of the Boards of Revenue of said Counties, and to provide for the payment of such compensation," so as to have said Act affect counties which now or may have hereafter a population of not less than 96,000 and not exceeding 115,000 according to the last or any succeeding Federal Census.

Also:

H. 196. To amend Section 1 of an Act of the Legislature of Alabama approved, September 27, 1923, entitled "An Act to provide that in all cities in Alabama having a population of not less than 60,000 and not more than 150,000 according to the last Federal census, which have adopted or may hereafter adopt the general commission form of government, the Board of Road and Revenue Commissioners, or other governing body of the respective counties may pay the Recorder for ex-officio services rendered by him in the trial of cases in Recorder's Court wherein there is charged a violation of the laws of the State of Alabama, a sum not exceeding \$900.00 per annum payable in twelve equal monthly installments out of the County Treasury", so as to reduce the maximum population of said class of cities to 68,000 people.

The bill:

H. 207. To authorize the governing body of ail counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census to employ an attorney to be known as the County Attorney and to prescribe the duties of said employee and fix his compensation.

Was taken up.

Mr. Edmundson offered the following Substitute for said bill, to-wit:

Substitute for H. 207:

By Mr. Edmundson:

A BILL

To be entitled an Act to authorize the governing bodies of all counties in this State having a population of two hundred (200,000) or more according to the last or any subsequent Federal Census, to employ an attorney or attorneys to represent such counties in any litigation or in any matters in which the advice or services of an attorney may be proper or necessary in the judgment of such governing bodies and abolish the office of county attorney in all such counties and to repeal an act approved August 11, 1927, entitled, "An Act to create the office of County Attorney in all counties in this State having a population of two hundred (200,000) thousand or more according to the last or any subsequent federal census; to prescribe the method of their election, to fix their term of office,

to prescribe the duties of said office, to fix the compensation thereof and the method of their removal.

Be it enacted by the Legislature of Alabama:

Section 1. In all counties in this state having a population of two Hundred (200,000) thousand or more according to the last or any subsequent Federal Census, that the governing body of said counties is hereby authorized and empowered to employ an attorney or attorneys to represent said county or any county officer thereof in any litigation or in any matter in which the services of an attorney is deemed proper or necessary by the governing body of such county. The said governing body shall agree with such attorney or attorneys upon the compensation to be paid him or them for the services rendered; such compensation shall be paid out of the General Fund of the county. The governing body of such counties may furnish such attorneys the necessary stenographers and clerical help or other assistants that it deems necessary to the proper performance of the duties for which he is employed.

Section 2. That the office of such county attorney in all such counties be and the same is hereby abolished.

Section 3. This act shall go into effect immediately after its

passage.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Brown

Caffey

Cooper

Cowart

Craft

Darden

Delony

Duncan

Edmundson

Farmer

Faulk

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Kelley

Lapsley

McDaniel

McDowell

Millsap

Mullins

Powell

Riddle

Scruggs

Shepherd

Tasley

Walker

Warren

—33

And said bill, as thus amended, was read a third time at length and passed:

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Brown

Caffey

Cooper

Cowart

Craft

Darden

Delony

Duncan

Edmundson

Farmer

Faulk

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Kelley

Lapsley

McDaniel

McDowell

Millsap

Mullins

Powell

Riddle

Scruggs

Shepherd

Tasley

Walker

Warren

—33

The bill:

H. 644. To further regulate the bailiffs in the circuit courts in all the counties in the State of Alabama, having a population of two hundred thousand (200,000) or more, according to the last or any subsequent Federal Census; to fix a minimum number of bailiffs for all of such courts, to provide for the appointment of the bailiffs in such courts, and to provide a method of fixing the number and compensation of such bailiffs and to provide for the payment of such compensation.

Was taken up.

Mr. Edmundson offered the following Substitute for said bill, to-wit:

Substitute for H. 644:

A BILL

To be entitled an Act to further regulate the bailiffs in the circuit court in all counties in the State of Alabama, having a population of Two Hundred Thousand (200,000) or more, according to the last or any subsequent Federal Census; to provide for the appointment of bailiffs in such court, and to provide for and fix the compensation of such bailiffs.

Be it enacted by the Legislature of Alabama:

Section 1. That in all counties of the state of Alabama having a population of two hundred thousand (200,000) or more, according to the last or any subsequent Federal Census, each circuit judge in the civil division of the circuit court may appoint not exceeding two bailiffs to serve in his division of such court. Said bailiffs shall each be paid (\$140.00) one hundred and forty dollars per month out of the county treasury of such counties.

Section 2. Each circuit judge in the criminal division in such counties, and each circuit judge charged with the primary or preferential duty of trying quasi-criminal cases, shall appoint not exceeding three bailiffs to serve in his division of such court. The judges referred to in this section may together appoint an additional bailiff to be known as the jury bailiff. Said bailiffs shall be paid one hundred and sixty dollars (\$160.00) per month, each, out of the county treasury.

Section 3. Each circuit judge holding court in said counties at a place other than at the county site, shall appoint not exceeding two bailiffs to serve in his division of the court, who shall be paid one hundred and forty dollars (\$140.00) each, per month, out of the county treasury.

Section 4. The judges referred to in Section 1 of this Act, may together appoint a jury bailiff to be known as the jury bailiff of the civil division of said court, who shall be paid (\$140.00) one hundred and forty dollars, per month out of the county treasury.

Section 5. This Act shall become effective on December 1st,

1932, and all laws and parts of laws in conflict herewith are hereby repealed.

Which was adopted.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

REPORT OF COMMITTEE UNDER S. R. 95

November 1st, 1932.

To The Senate of Alabama:

Your committee appointed under the provisions of Senate Resolution No. 95 begs leave to report as follows:

1. That copies of said Senate Resolution No. 95 were delivered by your committee to Senator E. D. Jordan and to his counsel at the Exchange Hotel, Montgomery, Alabama, at 2:15 P.M. this date.

2. That Senator Jordan and his counsel expressed the desire to co-operate fully with the Senate in the investigation of the charges against Senator Jordan.

3. That a list of the witnesses requested to be summoned in behalf of said Senator Jordan is hereto attached, said list being submitted by counsel for Senator Jordan and it being stated by counsel that said list of witnesses was not complete but only partial.

4. That the point was made by counsel for Senator Jordan that the said Senate Resolution No. 95 was not sufficiently specific as

to the chargesto be investigated, or as to the limitations of the hearing set for November 2nd by said Resolution.

Respectfully submitted.

E. F. Hildreth,
Jno. T. Bartlett,
Lee Edmundson,

Members of said Committee appointed under
Senate Resolution No. 95.

November 1, 1932.

To the Rules Committee of the Senate of Alabama:

I hereby submit, pursuant to Senate Resolution of this date, list of witnesses whom I desire to be present, and be heard in my behalf at 10 o'clock Tuesday, November 2, 1932:

Dr. C. L. Guice, Gadsden, Ala.
J. M. Garrett, Gadsden, Ala.
W. F. Jeffers, Gadsden, Ala.
L. L. Herzberg, Gadsden, Ala.
Geo. S. Vann, Gadsden, Ala.
J. C. Green, Gadsden, Ala.
J. P. Gunn, Gadsden, Ala.
O. J. Stock, Gadsden, Ala.
Finis McCluney, Gadsden, Ala.
Rev. Clare Purcell, Gadsden, Ala.
Rev. W. M. Harris, Gadsden, Ala.
Rev. Elmer Ridgeway, Gadsden, Ala.
Rev. Ivan H. Trussler, Gadsden, Ala.
Rev. Glenn Bartee, Gadsden, Ala.
Rev. Noble Y. Beal, Gadsden, Ala.
Mr. J. B. Wadsworth, Gadsden, Ala.
John W. Burnett, Gadsden, Ala.
J. E. Jordan
F. M. Cottle, Gadsden, Ala.
Dr. E. H. Cross, Gadsden, Ala.
Dr. A. W. Rawls, Gadsden, Ala.
L. L. Sutherlin, Gadsden, Ala.
Prof. O. C. Bottoms, Gadsden, Ala.
Prof. Patterson (Trades School), Gadsden, Ala.
Ben Bramlett, Gadsden, Ala.
H. D. Sturkie, Gadsden, Ala.
Dr. M. L. Shaddix, Alabama City, Ala.
Oscar Humphries, Alabama City, Ala.
T. C. Smith, Alabama City, Ala.
A. Y. Putnam, Alabama City, Ala.
Punch Husk, Alabama City, Ala.
Geo. B. Walker, Attalla, Ala.
Lester Gray, Attalla, Ala.
Dr. C. B. Foreman, Attalla, Ala.
Mr. E. G. Lee, Attalla, Ala.
Mayor A. B. Duke, Attalla, Ala.
W. B. Goza, Attalla, Ala.
R. A. Drake, Attalla, Ala.
Mr. Coy Shelton, Altoona, Ala.
J. B. Bynum, Walnut Grove, Ala.
A. S. Nelson, Walnut Grove, Ala.
Dr. J. T. Brown, Ragland, Ala.
F. M. Morris, Ragland, Ala.

W. T. Floyd, Ragland, Ala.
 Jas. A. Embry, Ashville, Ala.
 Jno. W. Inzer, Ashville, Ala.
 W. M. Foreman, Springville, Ala.
 T. E. Moody, Springville, Ala.
 John Walker, Springville, Ala.
 Dr. U. C. Martin, Pell City, Ala.
 Frank A. Embry, Pell City, Ala.
 Clyde Dunn, Pell City, Ala.
 Blair Jones, Pell City, Ala.
 T. N. Eatman, Pell City, Ala.
 Jerrell Ashley, Odenville, Ala.
 Mack Wilson, Odenville, Ala.
 T. P. Crawford, Steele, Ala.
 W. E. Pope, Steele, Ala.
 L. L. Self, Gadsden, Ala.
 J. E. Williams, Gadsden, Ala.
 Ross Phillips, Gadsden, Ala.
 C. L. Vance, Gadsden, Ala.
 John Holcomb, Gadsden, Ala.
 Carl Lonnergan, Gadsden, Ala.
 C. C. Miller, Gadsden, Ala.
 R. L. Miller, Gadsden, Ala.
 Ed Noble, Attalla, Ala.
 Dr. M. J. McElroy, Attalla, Ala.

W. J. Hinson, Attalla, Ala.
 Will Stewart, Attalla, Ala.
 Dr. E. K. Hamby, Attalla, Ala.
 B. C. O'Rear, Attalla, Ala.
 Judge H. Ross Gilliland, Attalla, Ala.
 John Spurlock, Attalla, Ala.
 J. J. Stephens, Attalla, Ala.
 E. D. Hamner, Attalla, Ala.
 Allen Little, Alabama City, Ala.
 W. O. Phillips, Alabama City, Ala.
 W. C. Phillips, Alabama City, Ala.
 Dr. R. A. Burns, Alabama City, Ala.
 Frank Thompson, Gadsden, Ala.
 Berry Malone, Gadsden, Ala.
 Ben Malone, Gadsden, Ala.
 A. Crumper, Gadsden, Ala.
 W. M. Thompson, Gadsden, Ala.
 Dr. C. L. Murphy, Gadsden, Ala.
 T. J. Woodliff, Gadsden, Ala.

And other witnesses, list of which will be filed later.

Respectfully submitted,
 E. D. JORDAN,
 Senator from 6th District.

COMMITTEE REPORT

On motion of Mr. Powell, the foregoing report of the committee appointed under S. R. 95, heretofore adopted, was concurred in and adopted.

The Rules Committee reported the following Senate Resolutions:

S. R. 99. BE IT RESOLVED BY THE SENATE OF ALABAMA AS FOLLOWS:

That the charges against Senator E. D. Jordan which will be investigated at the hearing set for ten o'clock on November 2nd, 1932, referring to the passage of Senate Bill 227 which was introduced by Senator E. D. Jordan in the Senate of Alabama. The specific charges as reported by the newspapers and as reported by those who heard certain conversation wherein Senator Jordan and the Representatives from Etowah County discussed the above bill in the presence of the Governor of Alabama and others are as follows:

1. That the said Senator Jordan solicited and agreed to accept compensation or expense money to the amount of, to-wit, \$250.00 for his services in passing said bill through the Senate of Alabama;

2. That, after the passage of said bill through the Senate, the said Senator Jordan demanded the payment to him of a sum of money, to-wit, \$100.00, and claimed said amount due him as expense money or compensation for his services and time and attention in passing said bill through the Senate and claimed that it was agreed that said money was to be paid him as soon as the bill got out of the Senate door on its way to the House;

3. That the said Senator Jordan solicited and demanded in two telephone conversations the sum of, to-wit: \$100.00 as part of \$250.00 alleged to have been agreed to be paid as compensation or expense money for passage of said Senate Bill 227 through the Senate and claimed that one Lee Castlebury had agreed to pay said amount to him as expense money or compensation for his services in connection with said bill:

4. That the said Senator Jordan made demand upon the said Lee Castlebury over the telephone in one or more conversations and insisted that there should be paid over to him the sum of, to-wit, \$100.00, on account of expense money in connection with said S. B. 227 and threatened that if said money was not so paid he would endeavor to kill or defeat the passage of said bill in the House of Representatives;

5. That the said Senator, after repeated demand on the said Lee Castlebury for the payment to him of, to-wit, \$100.00 on account of expense money in connection with the said Senate Bill 227, and after a threat to use his influence to defeat the passage of the bill in the House because he had not received the said \$100.00, did endeavor through his influence and efforts to the Chairman of the Local Legislation Committee of the House and with C. S. Culver, one of the Representatives of Etowah County, to defeat the passage of said bill in the House of Representatives;

6. That, after refusal on the part of the said Lee Castlebury to pay over to the said Senator the sum of \$100.00, and, after re-

peated demand on said Castlebury for the payment of said sum and after ineffective efforts to stop the passage of S. B. 227 through the House of Representatives, the said Senator used his influence to prevail upon the Governor not to approve said bill;

7. That Senator E. D. Jordan, while occupying the office of Senator from the 6th Senatorial District of Alabama, in connection with his duties as such Senator, introduced S. B. 227 and passed the same through the Senate, and before said bill had passed the House and was approved by the Governor, the said Senator Jordan demanded, solicited or consented to receive for himself money, or personal advantage to himself, for his vote or official influence in connection with the passage of said bill, or for withholding his influence in attempting to defeat said bill in the House;

8. That the said Senator Jordan in connection with Senate Bill 227 has been guilty of bribery within the meaning of Section 79 of the Constitution of the State of Alabama, and that such acts in connection with said S. B. 227 were committed while in office, and under the color of said office and in connection with his duties as Senator of the 6th Senatorial District of Alabama.

Be it further resolved by the Senate that a copy of this resolution setting out these specific charges which will be investigated at the hearing on Wednesday, November 2nd, at 10 o'clock A. M., 1932, be served upon Senator E. D. Jordan, or his counsel, in order that he and they may be advised as to the extent of said hearing and the nature and range of the evidence to be brought out at said hearing.

On motion of Mr. Powell, said report was concurred in and the Resolution adopted.

The Rules Committee also reported the following Senate resolution:

S. R. 100. Be it resolved by the Senate of Alabama that in the hearing to be had at ten o'clock A. M. Wednesday, November 2nd, 1932, on the charges against Senator E. D. Jordan, that two members from the body of the Senate, to-wit, Senators E. F. Hildreth and Senator Coleman Shepherd, be and they are hereby named on behalf of the Senate, to conduct said investigation.

Resolved further that the said named Senators question the witnesses, and present all data, information or other matter thought necessary or proper in connection with said charges at said hearing in order that the said Rules Committee and the Senate Body as a whole may be able to get at the truth of the matter and reach a true and proper conclusion.

And on motion of Mr. Powell said report was concurred in and the resolution adopted.

RECESS

At 5:45 P. M. on motion of Mr. McDowel, the Senate took a recess until 8 o'clock tonight.

TWENTY-NINTH DAY—NIGHT SESSION

Tuesday, November 1, 1932.

The Senate re-assembled at 8 P. M., Lieutenant-Governor Merrill presiding.

ROLL CALL

Present:

Messrs.:			
Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Faulk	McDaniel	Teasley
Cooper	Fletcher	McDowell	Walker
Cowart	Garrett	Millsap	Warren
Craft	Goodwin	Mullins	Wikle
Darden	Hildreth		

—34

RESOLUTION

The Rules Committee reported the following Senate Joint Resolution:

S. J. R. 101. Resolved by the Senate, the House concurring, that when the two Houses adjourn to-day, they adjourn to reconvene again on Friday November 4th 1932.

And on motion of Mr. Powell, said report was concurred in and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 179. To fix the minimum school age at which children may enter public schools.

And the Speaker of the House named as conferees on part of the House, Messrs. West, Black, Swift.

J. H. Stewart,
Clerk.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Edmundson, the Senate indefinitely postponed further consideration of the bill:

H. 513. To further define, prescribe and limit the powers and duties of the County Commission or other governing body of Jefferson County, Alabama, by whatsoever name said governing body may now or hereafter be called.

Also:

H. 366. To amend Section 3, Section 4 and Section 6 of "An Act to establish an Inferior Court in Precincts 2 and 33, in Jefferson County, Alabama, said precincts lying within or partly within the City of Bessemer, in lieu of all Justices of the Peace, in said precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory. To define the jurisdiction and powers of the said court, the Judge, Clerks and other officers thereof; To define the jurisdiction thereof, provide for a place for holding said court, provide for the terms and salaries of said Judge, Clerk and officers of said court, the payment of their salaries and the manner of their appointment and election," Approved July 7, 1927, and to repeal all laws and parts of laws in conflict therewith.

Also:

H. 368. To fix the compensation or salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama, in Equity, and to regulate the payment thereof.

Also:

H. 357. To provide for and further regulate the bailiffs to serve other courts in Jefferson County, Alabama, to fix the number and the method of appointing said bailiffs, to fix the maximum salaries for said bailiffs and to provide a method for fixing their compensation subject to said maximum salaries and to provide for the payment of their salaries and to repeal all laws and parts of laws, general, local or special, in conflict herewith.

Also:

H. 408. To repeal an Act entitled, "An Act to further regulate the jurisdiction of Justices of the Peace in Counties having a population of Three Hundred Thousand or more according to the last or any subsequent Federal census," approved July 20, 1931.

Also:

H. 615. To fix the salaries of the circuit judges in Alabama in circuits now or hereafter having ten or more circuit judges and to provide for the manner of payment of same.

Also:

H. 612. To fix the salaries of the circuit judges in Alabama in circuits now or hereafter having ten or more circuit judges and to provide for the manner of payment of same.

Also:

H. 611. To fix the salaries of judges of inferior courts, having civil jurisdiction only, created in lieu of justices of the peace, for one or more precincts lying within or partly within any City of the State having a population of over 150,000 according to the last or any subsequent Federal Census.

Also:

H. 563. To provide for the payment of the costs of advertisements of the sales of personal and real property in newspapers, as is provided for by Sections 7824, 7825 et. seq. of the Code of Alabama of 1923, in all counties of the State of Alabama having a population of 300,000, or more, according to the last or any subsequent Federal census; and to provide for the method of payment of such costs of advertisements.

Also:

H. 547. To amend Section 14 of an Act of the Legislature of Alabama entitled, "An Act to establish an Inferior Court of Record in all counties in this State having a population of Three Hundred Thousand (300,000) or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to prescribe the practice and the procedure therein and the way, manner and method of appeals therefrom." Approved July 20th, 1931.

Also:

H. 520. To amend Section 19 of an Act entitled "An Act to establish an Inferior Court of Record in all Counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to provide officers therefor and to fix their qualifications, powers, duties and compensation; to prescribe the practice and the procedure therein and the way, manner and method of appeals therefrom," approved July 20th, 1931.

Also:

H. 355. To provide for the payment of the costs of advertisement of the sales of personal and real property in newspapers, as is provided for by Sections 7824, 7825 et seq. of the Code of Alabama of 1923, in all counties of the State of Alabama having a population of 300,000, or more, according to the last or any subsequent Federal census; and to provide for the method of payment of such costs of advertisements.

On motion of Mr. Hubbard, the Senate indefinitely postponed further consideration of the bill:

H. 423. To amend Section Two of an Act approved June 26th, 1931, entitled an Act to provide for and regulate the assessment, levy and collection of municipal taxes of cities which now have a population of not less than sixty-five hundred or more than fifteen thousand inhabitants according to any federal census hereafter taken; and to define the duties of the State, county and municipal officers in regard thereto, and to fix the tax year for such cities and to make the county tax collector of the counties in which such cities are situated, ex-official collector of the property taxes for such cities.

On motion of Mr. Edmundson, the Senate indefinitely postponed further consideration of the following bills:

H. 654. To fix the salaries of Judges of Inferior Courts, having criminal jurisdiction only, in all counties of the State of Alabama which now have or may hereafter have more than three hundred thousand population according to the last or any subsequent Federal census.

Also:

H. 204. To further regulate the selection of juries in civil and criminal cases in all counties in this State having a population of three hundred thousand or more inhabitants according to the last or any succeeding Federal Census.

Also:.

H. 203. To provide for and regulate the mode of selecting and impanelling juries in all criminal and quasi-criminal cases in circuit courts in counties having a population of 300,000 or more according to the last or any future Federal Census.

Also:

H. 664. To amend Section 2 of an Act entitled, "An Act to provide for the more efficient handling of juries in Circuit Courts of all counties of the State of Alabama having a population of two hundred thousand or more according to the last or any subsequent Federal census, and to provide for the appointment of a jury bailiff and clerk of the Circuit Court of every such County, to designate his duties and fix his compensation, and to provide for the payment of such compensation," approved September 27, 1923.

Also:

H. 614. To provide that there shall be one clerk for both divisions of the Municipal Court of Birmingham, and such number of deputy or assistant clerks as may be necessary; to define the duties, prescribe the methods for the appointment and provide for the fixing and payment of the compensation of such clerk and such deputy or assistant clerks.

BILLS ON THIRD READING

The bill:

H. 572. A bill to be entitled an Act to provide for and submit to the qualified electors of the State of Alabama, at an election to be held on the first Tuesday after the first Monday in November 1934 which is more than three months after the final adjournment of the present session of the Legislature at which the amendment is proposed, an amendment to the Constitution of Alabama declaring that from and after its adoption the Legislature may by general or local law without prior publication of notice or advertisement, fix, regulate and alter the salary, fees or compensation of any officer holding any civil office of profit under the City of Mobile, and may increase or diminish same during the term for which said officers shall have been elected or appointed, and that upon the adoption of said amendment the salary of each commissioner of the City

of Mobile shall be \$4,000.00 per year until the Legislature shall otherwise fix the salary of said officers.

Be it enacted by the Legislature of Alabama:

Section 1. That the following amendment to the Constitution of Alabama is hereby proposed to be submitted to the qualified electors of the State of Alabama, for their consideration at an election to be held at the general election to be held on the first Tuesday after the first Monday of November 1934, which is more than three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, to-wit:

The Legislature of Alabama may hereafter, from time to time, by general or local laws without prior publication of notice or advertisement, fix, regulate and alter the salary, fees or compensation of any officer holding any civil office of profit under the City of Mobile, and may increase or diminish same during the term for which said officers shall have been elected or appointed. Upon the adoption of this amendment to the Constitution the salary of each Commissioner of the City of Mobile shall be \$4,000.00 per year until the Legislature shall otherwise fix the salary of said officers.

Section 2. That notice of the election hereby ordered, with the amendment hereby proposed, shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each County in the State, for at least 8 successive weeks next preceeding the date hereby appointed for such election.

Section 3. That at the general election to be held on the first Tuesday after the first Monday of November 1934 which is more than three months after the final adjournment of the present session of the Legislature at which this amendment is proposed, an election shall be held for the vote of the qualified electors of the State of Alabama upon the proposed amendment. Upon the ballots used at such election shall be printed the following, viz:-

"Shall the following be adopted as an amendment to the Constitution of the State of Alabama:

The Legislature of Alabama may hereafter, from time to time, by general or local laws without prior publication of notice or advertisement, fix, regulate and alter the salary, fees or compensation of any officer holding any civil office of profit under the City of Mobile, and may increase or diminish same during the term for which said officers shall have been elected or appointed. Upon the adoption of this amendment to the Constitution the salary of each Commissioner of the City of Mobile shall be \$4,000.00 per year until the Legislature shall otherwise fix the salary of said officers."

Following the proposed amendment on the ballot shall be printed the word "Yes" and immediately under that shall be printed the word "No." The choice of the elector shall be indicated by a cross mark by him opposite the word expressing his desire. Officers of said election shall be appointed and said election shall be held in all things in accordance with the laws governing general elections and

the constitutional provisions respecting amendments to the Constitution. In the election so held upon such proposed amendment the votes cast thereat shall be canvassed and tabulated, and returns thereof be made to the Secretary of State, and counted in the same manner as in elections for Representatives to the Legislature; and if it shall thereupon appear that a majority of the qualified electors who voted at such election upon such proposed amendment voted in favor of the same, said amendment shall be valid to all intents and purposes as part of the Constitution of Alabama. The result of said election shall be made known by proclamation of the Governor.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Cowart	Fletcher	McDowell
Beasley	Craft	Garrett	Millsap
Bonner	Darden	Hildreth	Powell
Brown	Delony	Kelley	Teasley
Caffey	Duncan	Lapsley	Wikle
Cooper	Edmundson		

—22

THE SENATE.

H. 415. To amend an Act approved September 9th, 1927, entitled: "An Act to advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax year, the net income, rents and returns from which are used, or are to be used, exclusively for educational purposes in the State of Alabama other than for schools owned or controlled by any religious sect or denomination."

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Garrett	Lapsley
Beasley	Darden	Goodwin	McDowell
Caffey	Delony	Hildreth	Mullins
Cooper	Duncan	Kelley	Wikle
Cowart	Edmundson		

—18

The bill:

H. 358. To amend Section 1 of an Act entitled "An Act To authorize all cities and towns within the State of Alabama to fix and collect licenses for any business, trade or profession done outside the corporate limits but within the police jurisdiction thereof", approved September 6, 1927.

Was read a third time at length and passed.

Yeas, 12; nays, 9.

Yeas:

Messrs.:

Bartlett	Cowart	Hildreth	Scruggs
Beasley	Craft	Lapsley	Teasley
Caffey	Darden	Mullins	Wikle

—12

Nays:

Messrs.:

Bonner	Duncan	Kelley	Millsap
Cooper	Goodwin	McDowell	Walker
Delony			

— 9

The bill:

H. 275. To provide that all business and/or occupational licenses which are payable through the office of the Probate Judge or other county, city or town officials authorized to issue licenses may be paid on a quarterly basis; to provide for the dates of such payment and when same shall become delinquent; to provide that such licenses shall be issued on an annual or semi-annual basis; to provide in case of a delinquency for the payment of the total amount of the license due; to provide for the manner of issuing the licenses and to repeal all laws or parts of laws in conflict herewith.

Was read a third time at length and passed.

Yeas, 23; nays, 3.

Yeas:

Messrs.:

Bartlett	Cowart	Garrett	Mullins
Beasley	Craft	Goodwin	Scruggs
Bonner	Darden	Hildreth	Teasley
Brown	Duncan	McDaniel	Walker
Caffey	Edmundson	McDowell	Wikle
Cooper	Fletcher	Millsap	

—23

Nays: Messrs. Deloney, Hubbard, Kelley.

— 3

The bill:

H. 407. To amend Section 1 of an Act entitled "An Act, to provide for the election of a Solicitor for each Judicial Circuit in the State and to fix his compensation and to authorize the appointment or election of Deputy Solicitors and Assistant Solicitors, prescribe their duties and authority and fix their compensation," approved September 25th, 1915.

Was read a third time at length and lost.

Yeas, 6; nays, 6

Yeas:

Messrs.:

Bartlett	Craft	Duncan	Hildreth
Cowart	Darden		

— 6

Nays:

Messrs.:

Beasley

Kelley

Millsap

Walker

Delony

McDowell

— 5

The bill:

H. 574. To amend Section 4820 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 21; nays, 4.

Yeas:

Messrs.:

Beasley

Delony

Hildreth

Mullins

Bonner

Edmundson

Hubbard

Powell

Brown

Fletcher

Lapsley

Teasley

Caffey

Garrett

McDaniel

Walker

Cooper

Goodwin

Millsap

Wikle

Darden

—21

Nays: Messrs. Bartlett, Cowart, Duncan, Kelly.

— 4

The bill:

H. 649. To place the Probate Judge, Tax Assessor, Tax Collector, Clerk of the Circuit Court and the Register in Chancery of Mobile County, Alabama, on a salary basis, and to provide the

which each of such officers shall be placed on a salary basis; to provide for the manner of payment of the salaries of such officers out of the County Treasury of Mobile County, Alabama; to provide secretaries, clerks, assistants, clerical help and allowances for each of such officers and to provide the salaries and manner of payment of such salaries for such secretaries, clerks, assistants and clerical help; to provide for payment into the Treasury of Mobile County of all fees, fines and forfeitures collected by said officers; and to provide that nothing in this Act shall be construed to mean that the Tax Collector and Tax Assessor shall not be entitled to the fees, salaries and commissions now provided by law for the collection of public school moneys.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett

Delony

Hildreth

Mullins

Beasley

Duncan

Hooton

Powell

Bonner

Edmundson

Hubbard

Riddle

Brown

Farmer

Kelley

Scruggs

Caffey

Faulk

Lapsley

Shepherd

Cooper

Fletcher

McDaniel

Teasley

Cowart

Garrett

McDowell

Walker

Craft

Goodwin

Millsap

Warren

Darden

—33

The bill:

H. 345. To provide that where an adjoining city has been annexed by a vote of the people or otherwise to any class "D" city as defined in an Act of the Legislature approved March 6, 1931, and published in General Acts of Alabama, 1931, on Page 174 et seq., that a commissioner for the consolidated city be elected by the qualified electors residing within the former corporate limits of such annexed city; to fix the time for such election and the manner of holding the same; and to further provide that such commissioner so elected shall hold office until the first Tuesday in October, 1934, and that no successor shall be elected to succeed such commissioner; and to provide that this Act shall not be in force after the first Tuesday in October, 1934; and to fix the duties, powers and compensation of such commissioner so elected.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Beasley	Duncan	Hubbard	Riddle
Bonner	Edmundson	Kelley	Scruggs
Brown	Farmer	Lapsley	Shepherd
Caffey	Fletcher	McDaniel	Teasley
Cooper	Garrett	McDowell	Walker
Cowart	Goodwin	Millsap	Warren
Craft	Hildreth	Mullins	Wikle
Darden			

—33

The bill:

H. 6. To amend Article 17 of the Agricultural Code of Alabama.

Was read a third time at length and passed.

Yeas, 14; nays, 10.

Yeas:

Messrs.:

Bartlett	Darden	Hubbard	Scruggs
Beasley	Edmundson	Lapsley	Walker
Caffey	Garrett	Mullins	Wikle
Craft	Goodwin		

—14

Nays:

Messrs.:

Bonner	Duncan	McDowell	Riddle
Cooper	Hildreth	Millsap	Warren
Delony	McDaniel		

—10

The bill:

H. 93. To provide for the giving up by the State of Alabama and its officials of all its possession, claim, right and interest in and to the following described real estate located in Elmore County, Alabama, to-wit: "That part of sub-division D lying North of the Section line between Section thirty-four (34), Township

Eighteen (18), Range Eighteen (18), and Section Three (3), Township Seventeen (17), Range Eighteen (18), being situated in Section thirty-four (34), Township Eighteen (18), Range Eighteen (18), lying South of the main stream of the Tallapoosa River and being surrounded by the so called Dead River, being the former stream of the Tallapoosa River and containing 27 acres, more or less, according to the map made by Mr. C. A. Pickett, County Surveyor of Montgomery County, May, 1930" to Mrs. C. E. Gaddis, Wetumpka, Elmore County, Alabama.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Goodwin	Millsap
Beasley	Darden	Hildreth	Mullins
Bonner	Delony	Hubbard	Scruggs
Caffey	Duncan	Kelley	Walker
Cooper	Edmundson	McDaniel	Warren
Cowart	Garrett	McDowell	Wikle

—24

The bill:

H. 688. To provide for and authorize the election of a recorder by the Board of Commissioners in all cities in the State of Alabama, which now have a population of 24,000 and less than 40,000 people, according to the last Federal Census or which hereafter may have such a population according to any such census that may hereafter be taken, and to authorize such board of Commissioners to fix the salary or compensation of such recorder, and to provide that such Recorder's term of office shall be at the will of the Commission, and to fix the jurisdiction of such Recorder.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Riddle
Brown	Farmer	Kelley	Scruggs
Caffey	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden			

—33

The bill:

H. 492. To amend an Act entitled "An Act to amend Section 4195 (6964) of the 1923 Code of Alabama".

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Caffey
Cooper

Cowart
Craft
Delony
Duncan
Edmundson
Fletcher

Garrett
Goodwin
Kelley
Lapsley
McDaniel

McDowell
Millsap
Mullins
Scruggs
Walker

—22

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested:

H. 75. To authorize and provide for the payment of the sum of One Hundred Twenty Three Dollars (\$123.00) for the relief of Mrs. Ann Eliza Strother of Wilcox County, Alabama, who was entitled to an increase in pension for the January 1924 quarter, had she filed her reclassification pension application when she reached the age of seventy years.

Also:

H. 322. To amend Section 5392 of the 1923 Code of Alabama.

Also:

H. 416. To provide for the election of three school trustees for each school in St. Clair County, Alabama, and to prescribe their authority and duties.

Also:

H. 525. To authorize game farming to include game birds, animals and fur bearers for propagation purposes in the State of Alabama, to authorize the Commissioner of Games and Fisheries to engage in game farming, to authorize the expenditure of revenue out of Game and Fish Fund therefor, to provide for the issuance of permits to accredited individuals, associations, partnerships, firms and corporations, to provide that the Commissioner of Game and Fisheries shall make regulations governing the issuance of said permits and the conduct of game farms, to provide for the cancellation of permit when terms upon which it is issued are violated, and to provide for penalties for violation of this Act, etc.

Also:

H. 526. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission, in the public interest, of transportation companies as defined by Section 9709 of the Code of Alabama of 1923, and to provide for the assessment, collection and payment of supervision and inspection fees by such transportation companies.

Also:

H. 536. To create the office of Road Supervisor for Henry County, Alabama; to prescribe the qualifications, powers, authorities and duties of said Supervisor, to provide for his election and or appointment and the election and or appointment of his successor; fix his term of office and salary and to require him to give surety bond.

Also:

H. 537. To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines of such Districts by showing the beats composing each of such Districts; to provide for the election of one Commissioner from each of said Districts, to fix their terms of office; to prescribe their qualifications, powers and duties; to fix their salaries, terms of office and filling of vacancies; to fix the date of their election; to require said Commissioners to give bond; and to further prescribe the powers, and duties of said Commissioners Court.

Also:

H. 595. To fix the salary of the Bond Clerk in the office of the State Treasurer and to provide for the payment of same and to make an appropriation therefor.

Also:

H. 629. To limit the number of members of the several standing committees of the House of Representatives of the Legislature of the State of Alabama.

Also:

H. 637. To make it unlawful for any person to receive or buy seed cotton at any time from any person except from the owner of the land on which grown, or his lawful agent, or except from a person, presenting a written permit to make such sale from the owner of the land on which grown or his lawful agent, and to provide penalties therefor.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 98. Requesting the Governor to prosecute to its immediate consummation necessary and needful application to secure to the unemployed and destitute citizens of Alabama necessary funds to sustain life and health.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted:

S. J. R. 101. Relative to the adjournment of the two Houses until Friday, November 4, 1932.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

REPORT OF CONFERENCE COMMITTEE

To the President of the Senate
and Speaker of the House:

We, a majority of your Conference Committee on Senate Bill No. 179, beg leave to make the following report:

We recommend that the House recede from its amendment to said bill and the bill be passed in the same form as passed by the Senate.

Respectfully submitted,
W. C. WARREN,
G. J. HUBBARD,
CLAUD D. SCRUGGS,
on the part of the Senate.
C. R. WEST,
W. H. BLACK,
on the part of the House.

CONFERENCE REPORT

On motion of Mr. Warren, the Senate concurred in and adopted the foregoing report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 179. To fix the minimum school age at which children may enter public schools.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Caffey
Cooper

Cowart
Craft
Darden
Duncan
Edmundson

Goodwin
Hildreth
Kelley
McDowell
Mullins

Powell
Scruggs
Walker
Warren
Wikle

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 553. To amend an Act entitled "To provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government," by re-enacting an amend-

mission form of government and the resumption of Aldermanic form of government; to provide for an election of those officers prescribed by the existing general laws of the state relating to municipalities not of the commission government character, the time of holding such election, and the terms of the officers so elected, and to provide for the repeal of all laws in conflict therewith.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Senate amendments to the following bills:

H. 207. To authorize the governing body of all counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal census to employ an attorney to be known as the County Attorney and to prescribe the duties of said employee and fix his compensation.

Also:

H. 361. To fix the compensation or salary of the Probate Judge of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 362. To fix the compensation or salary of the Tax Assessor of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 364. To fix the compensation or salary of the Sheriff of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 370. To fix the compensation or salary of the Tax Collector of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 509. To fix the compensation or salary of the Deputy Clerk of the Branch of the Circuit Court of the Tenth Judicial Circuit of Alabama, sitting at Bessemer, in Jefferson County, Alabama, and to regulate the payment of the same.

Also:

H. 644. To further regulate the bailiffs in the Circuit Court in all counties in the State of Alabama having a population of two hundred thousand (200,000) or more, according to the last or any subsequent Federal census; to fix a minimum number of bailiffs for all of such courts, to provide for the appointment of the bailiff's in such courts, and to provide a method of fixing the number and compensation of such bailiffs and to provide for the payment of such compensation.

Also:

H. 647. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, two hundred thousand (200,000) population or more according to the last or any subsequent Federal census, and to provide for the payment of such supplemental salaries.

And requests Committee of Conference on the disagreement of the two houses, and the Speaker of the House has named as conferees on part of the House Messrs. Green, Robinson, and West.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Edmundson, the Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendments to H. 207, H. 361, H. 362, H. 364, H. 370, H. 509, H. 644, and H. 647, the titles of which are set out in the foregoing Message from the House, and the President and presiding officer of the Senate appointed as Conferees on part of the Senate Messrs. Edmundson, McDaniel and Fletcher.

ELECTION OF COUNTY ATTORNEY FOR COOSA COUNTY

Pursuant to the provisions of the bill:

S. 184. To abolish the office of County Solicitor of Coosa County, Alabama, and to create in lieu thereof the office of County Attorney; to define the qualifications and duties of County Attorney of Coosa County, Alabama; to provide for his election or appointment; to provide for the salary of the County Attorney and the manner of paying the same; to prescribe his term of office and for his removal from office and for the filling of the vacancy in said office.

Mr. Darden placed in nomination for the office of County Attorney for Coosa County, Alabama, Mr. Henry A. Teel, of Rockford, Alabama.

Those who voted for Mr. Teel were:

Messrs.:			
Bartlett	Craft	Hildreth	Mullins
Beasley	Darden	Hubbard	Riddle
Bonner	Delony	Kelley	Scruggs
Brown	Duncan	Lapsley	Teasley
Caffey	Edmondson	McDaniel	Wainer
Cooper	Garrett	McDowell	Wikle

Mr. Teel having received the entire vote cast, which was a majority of the Senate, he was declared duly and constitutionally elected County Attorney for Coosa County, Alabama, for the term prescribed by law.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 72. To provide for the propounding and prosecution of a claim or claims by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

Also:

S. 73. For the relief of tax payers permitting and authorizing the transfer of any tax claim held by the State of Alabama, any

county, municipality or taxing district thereof and authorizing and directing the issue of certificates evidencing such transfers and securing to the owner or holder of such certificates the same liens and the same remedies for enforcing said tax claims as the State of Alabama or the county or municipality or taxing district had prior to said transfer by it and providing for the enforcement and release thereof by such owner or holder."

Also:

S. 118. To prohibit any person, in the State of Alabama from accepting as informers fee any part of any fine imposed on persons violating the game and fish laws of this State. To require courts and/or clerks of courts imposing fines for game and fish violations to remit same to the Commissioner of Game and Fisheries, which fines shall be disposed of by said Commissioner as provided by law; and providing penalties for violation of this Act and providing for repeal of all laws in conflict with the provisions of this Act.

Also:

S. 193. To amend Section 1897 of the Code of Alabama of 1923, in relation to the borrowing of money by municipalities.

Also:

S. 194. To amend the Act approved September 10th, 1927, and entitled "An Act to provide a Code of Laws authorizing and governing the issuance, sale, regulation, funding refunding, paying and retiring of bonds of the Counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act."

Also:

S. 220. To regulate the operation of trucks and other vehicles on the highways so as to better protect, or, prevent the injuring and the killing of, school children—Pupils or students—while being transported to and from school on school busses, and to provide penalties for violating the provisions of the Act.

Also:

S. 238. To amend Section 1463 of the Code of Alabama of 1923.

Also:

S. 244. To amend Sections 312 and 324 of the Code of Alabama, 1923, relating to county depositories in lieu of county treasurers.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Twenty-Ninth Legislative Day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Respectfully submitted,

Hubert Farmer,
Chairman.

COMMITTEE REPORT

On motion of Mr. Farmer, the foregoing report was concurred in and the Journal of the Senate for the Twenty-Ninth Legislative Day, approved.

ADJOURNMENT

At 9:15 P. M., on motion of Mr. McDowell and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, November 4th, 1932, at 9:30 A. M.

THIRTIETH DAY

Friday, November 4th, 1932.

The Senate met pursuant to adjournment, Lieutenant-Governor Merrill, presiding.

PRAYER

By Dr. Richard Wilkerson of Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Cooper
Coward
Craft
Darden
Delony

Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin
Hildreth

Hooton
Hubbard
Kelley
Lapsley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

JOURNAL

On motion of Mr. Hubbard, the reading of the Journal of yesterday was dispensed with and the same approved by the Senate.

RESIGNATION OF E. D. JORDAN

Montgomery, Alabama,
November 2, 1932.

Hon. Hugh D. Merrill,
President, Senate of Alabama.

I hereby tender my resignation as a Senator from the Sixth Senatorial District of Alabama, effective at once.

I am induced to take this action on the refusal of the Rules Committee of the Senate, sitting with members of the Senate, to recommend the broadening of the scope of the investigation about to be entered upon relative to certain specific charges set out in the Resolution of the Senate, No. 99, a copy of which was served on me last night at seven o'clock, so that the investigation shall include certain other serious rumors or charges relating to my action as a Senator on certain general and local measures; also on account of the refusal of the Rules Committee to give me sufficient opportunity to develop and present such defenses as I have.

Respectfully submitted,

E. D. JORDAN,
Senator, 6th Senatorial District of Alabama.

Copy to R. H. Powell, Chairman of Rules Committee and President Pro Tem of the Senate.

RESIGNATION

The foregoing Resignation of Senator E. D. Jordan, of the 6th Senatorial District, was read and ordered spread upon the Journal.

RESOLUTIONS

The Rules Committee reported the following Senate Resolution:

S. R. 102. "1. Whereas, the Senate in resolution No. 99, adopted Nov. 1, 1932, did set out specific charges for investigation against Senator E. D. Jordan, of the sixth senatorial district of Alabama, and set the hearing of the said charges for Wednesday, Nov. 2, 1932, before the rules committee; and,

"2. Whereas, the Senate did in resolution No. 95, adopted Nov. 1, 1932, invite and request the entire membership of the Senate to sit with the rules committee at said hearing, and did also invite Senator E. D. Jordan to be present in person and by counsel, and with any witnesses he wished to have to defend against said charges at said hearing; and,

"3. Whereas, copies of said Senate resolutions Nos. 95 and 99 were delivered to Senator Jordan and to his counsel, and both Senator Jordan and his counsel were fully advised of the charges to be investigated; and

"4. Whereas, said hearing was held in conformity to said resolutions, at which hearing Senator Jordan appeared in person and with counsel, and was again invited to present his defense, if any, to said charges; and,

"5. Whereas, Senator E. D. Jordan did submit his resignation as a member of the Senate of Alabama during said hearing and before the same was concluded, which resignation under the law became effective immediately upon the filing of the same with the Governor of Alabama; and,

"6. Whereas the said committee determined to pursue said hearing and investigation in order to fully ascertain all of the facts in connection with said charges, and did invite Senator Jordan and his counsel to remain and participate in said hearing to the full conclusion thereof, and to examine all witnesses, and to present witnesses in his own behalf; and,

"7. Whereas, Senator Jordan and his counsel withdrew from said hearing and declined to remain until the witnesses could be heard and examined relative to the charges against said Senator Jordan; and,

"8. Whereas, the said committee did call before it and examine the witnesses with knowledge of the facts connected with said charges, the said witnesses being as follows:

Representative C. S. Culver, Cadsden, Ala.;

Representative G. C. Allen, Gadsden, Ala.

Lee Casheberry, Gadsden, Ala.

Representative James H. Bradford, Birmingham, Ala.

William Truby, Associated Press representative;

Gov. B. M. Miller;

Hubert Baughn, representative of The Birmingham Post, and,

"9. Whereas, Senator E. D. Jordan did confess in a statement given to the press that he did solicit two hundred fifty dollars as expense money for the passage of Senate Bill No. 227, which statement he has never denied; and,

"10. Whereas, it is the unanimous opinion of the members of said committee that Senator Jordan was given a full, fair and ample opportunity to present his defense, if any, to said charges, and to examine the witnesses with knowledge of the facts in connection therewith; and,

"11. Whereas, it is the judgment of the said committee that the charges contained in said Senate resolution No. 99 are true; and that the same constitute just and proper grounds for the expulsion of Senator Jordan from the Senate of Alabama, but that his resignation during said hearing prevents the Senate from taking such action:

"Now, therefore, be it resolved by the Senate of Alabama, as follows:

"1. That such conduct of Senator E. D. Jordan is hereby condemned, and is declared to be reprehensible and repugnant to the Senate.

"2. That this resolution be spread upon the records of the Senate."

And on motion of Mr. Powell, said report was concurred in and the Resolution adopted.

Mr. McDowell offered the following Senate Resolution:

S. R. 103. Be it Resolved by the Senate, that the thanks and appreciation of the Senate of Alabama is hereby tendered to Senators Hildreth and Shepard for the services rendered by them in connection with the presentation of the "Jordan Case" in which case they so ably presented the facts to the Rules Committee and the Members of the Senate.

And on motion of Mr. McDowell, the Rules were suspended and the Resolution adopted.

RECONSIDERATION OF VOTE

Mr. McDaniel moved that the Senate reconsider the vote by which it, on the last Legislative Day, indefinitely postponed the bill:

H. 622. To require all warrants, claims, drafts or certificates for salaries, expenses or other claims of State and County officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable, in whole or in part, upon warrants, claims, drafts or certificates drawn upon the County Treasurer, County Treasury, or County Depository of Marengo County, Alabama, by such officers or persons, to be itemized, verified and presented to the Board of Revenue of said County, for audit, allowance and payment; to take away from such officers and other persons the authority to draw such warrants, claims, drafts or certificates; and to provide that all warrants, claims, drafts or certificates drawn on or against County funds hereafter shall be authorized and drawn only by the Board of Revenue of Marengo County, Alabama.

Which motion prevailed, and said vote was reconsidered.

Said bill was then read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

REPORT OF COMMITTEE

November 4th, 1932.

To the Senate, and
House of Representatives:

We, your Committee, appointed to confer with the authorities of the University of Alabama and Auburn in reference to these institutions resuming athletic relations, having met with these authorities, beg leave to report.

Your Committee met on Thursday November 3rd with Dr. Geo. H. Denny and Dr. L. N. Duncan at which time this matter was discussed at length.

The attached letter signed by Dr. Denny and Dr. Duncan gives the view of these two institutions on this matter.

It is the opinion of this Committee that the authorities of these institutions are now in a position to reach a satisfactory conclusion between themselves without further action of this Committee.

Respectfully submitted,

C. G. BROWN,
W. C. WARREN,
C. S. CULVER,
W. COOPER GREEN,
J. HENRY MIZE.

Montgomery, Alabama,
November 3, 1932.

Hon. W. C. Warren,
Hon. C. G. Brown,
Hon. W. Cooper Green,
Hon. C. S. Culver,
Hon. J. H. Mize.
Gentlemen:

We express to you our appreciation of your courtesy in bringing to our attention the matter of scheduling football games between our institutions of higher learning as presented by you in accordance with a joint resolution of the Legislature.

We shall be glad to transmit to the faculty committees, to the coaching staffs and to the faculties of the two institutions the message which you have conveyed to us. We shall do this with full assurance that the matter will be given careful and painstaking consideration. We are confident that the Legislature itself will in the last analysis approve that procedure.

In making this reply to your proposal we desire to add that nothing in our experience has given us greater pleasure than to witness the constantly growing feeling of friendship and good-will that marks the present fine relationship between Alabama's two great seats of learning. Our view is that the preservation and promotion of that relationship will be best conserved if the whole question of the revival of intercollegiate contests were to emanate from within the institutions themselves following a careful consideration of the fundamental factors involved in the premises.

Yours very truly,

GEORGE H. DENNY,

President, University of Alabama.

L. N. DUNCAN,

Member, Administrative Committee,
Alabama Polytechnic Institute.

COMMITTEE REPORT

The foregoing report was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills and S. J. R. with the engrossed and original bills and S. J. R., respectively, and finds same correctly enrolled, to-wit:

S. 232. To authorize and empower the Board of Revenue or Court of County Commissioners or other governing body, of each and every County in Alabama to expend an amount not to exceed one-third of the total amount that may be received by each county from the levy and collection of any tax on gasoline in the payment of any debt that may have been heretofore incurred by such county for the construction and/or maintenance of roads or bridges.

S. 72. To provide for the propounding and prosecution of a claim or claims by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

S. 73. For the relief of tax payers permitting and authorizing the transfer of any tax claim held by the State of Alabama, any county, municipality, or taxing district thereof and authorizing and directing the issue of certificates evidencing such transfers and securing to the owner or holder of such certificates the same liens and the same remedies for enforcing said tax claims as the State of Alabama or the county or municipality or taxing district had prior to said transfer by it and providing for the enforcement and release thereof by such owner or holder."

S. 118. To prohibit any person, in the State of Alabama from accepting as informers fee any part of any fine imposed on persons violating the game and fish laws of this State. To require courts and/or clerks of courts imposing fines for game and fish violations to remit same to the Commissioner of Game and Fisheries, which fines shall be disposed of by said Commissioner as provided by law; and providing penalties for violation of this Act

and providing for repeal of all laws in conflict with the provisions of this Act.

S. 193. To amend Section 1897 of the Code of Alabama of 1923, in relation to the borrowing of money by municipalities.

S. 194. To amend the Act approved September 10th, 1927, and entitled "An Act to provide a Code of Laws authorizing and governing the issuance, sale, regulation, funding refunding, paying and retiring of bonds of the Counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act."

S. 220. To regulate the operation of trucks and other vehicles on the highways so as to better protect, or, prevent the injuring and the killing of, school children,—Pupils or students—while being transported to and from school on school busses, and to provide penalties for violating the provisions of the Act.

S. 244. To amend Sections 312 and 324 of the Code of Alabama, 1923, relating to county depositories in lieu of county treasurers.

S. J. R. 98. Urging His Excellency, the Governor, to make and prosecute the necessary application or applications to secure to the unemployed and destitute citizens of Alabama the necessary funds to sustain life and health.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS AND RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Resolution, the titles of which are set out in the foregoing, Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolution, your signature thereto is requested.

H. 6. To amend Article 17 of the Agricultural Code of Alabama.

Also:

H. 38. To repeal an Act of the Legislature of Alabama passed July 2nd, 1931 entitled "An Act providing in all counties in the State of Alabama now having or which may hereafter have a population according to the last Federal census of not less one hundred thousand and not more than one hundred seventy-five thousand, for fees to attorneys appointed by the circuit judge or judges of such counties, to represent persons who have been indicted by the grand jury of such county for the commission of a crime, the maximum penalty for which, under the law, is death, the amount of such fees, and the mode of payment."

Also:

H. 42. To repeal an Act of the Legislature of Alabama passed May 29th, 1931 entitled "An Act to authorize cities and towns in this state having a population of more than sixty-seven thousand and under one hundred fifty-thousand people according to the last or any subsequent Federal census to impose, fix and require the payment of a license tax upon dealers engaged in selling non-intoxicating malt extract to consumers and to authorize such cities to require sworn reports of the amount of their sales by all such dealers and to prohibit the engaging in business by such dealers without the payment of such license and to fix and prescribe fines and penalties for doing business as such dealers without the payment of such license and/or for failure to make and file such reports and provide to what purpose the net proceeds of all such license taxes shall be devoted."

Also:

H. 43. To repeal an Act of the Legislature of Alabama approved July 20th, 1931 entitled "An Act to authorize the County Commissioners, Board of Revenue, Board of Revenue and Road Commissioners, or any board exercising such jurisdiction in any County in the State of Alabama, having a population of not less than one hundred and five thousand and not more than three hundred thousand according to the last Federal Census, or any succeeding Federal Census, to levy and impose an excise tax of not more than five cents per gallon on all kerosene manufactured, distributed or sold by any person, firm or corporation in such County, and to provide for the payment and collection of such tax, to provide that all monies for such tax shall be paid into the County Treasury or County Depository, and to be used for road and bridge purposes only in such County; and further to provide for the enforcement of the act and fixing punishment and penalties for the violation of any of the provisions thereof."

Also:

H. 44. To repeal an Act of the Legislature of Alabama approved July 10, 1931 entitled "An Act to provide that unless otherwise stated in the Act or Resolution calling such election, when-

ever any special election is ordered by the Legislature upon any proposed amendment or amendments to the Constitution of this State affecting only one municipality in this State, then if such municipality has as much or more than 68,000 and under 200,000 inhabitants according to the last or any subsequent Federal Census, and if no amendment or amendments other than those affecting said municipality are submitted to the voters of the State at said election, the expense of holding such election, including the cost of publication, shall be paid by the municipality so affected."

Also:

H. 93. To provide for the giving up by the State of Alabama and its officials of all its possession, claim, right and interest in and to the following described real estate located in Elmore County, Alabama, to-wit: "That part of sub-division D lying North of the Section line between Section thirty-four (34), Township Eighteen (18), Range Eighteen (18), and Section three (3), Township Seventeen (17), Range Eighteen (18), being situated in Section thirty-four (34), Township Eighteen (18), Range Eighteen (18), lying South of the main stream of the Tallapoosa River and being surrounded by the so called Dead River, being the former stream of

according to the map made by Mr. C. A. Pickett, County Surveyor of Montgomery County, May, 1930" to Mrs. C. E. Gaddis, Wetumpka, Elmore County, Alabama.

Also:

H. 208. To amend Section 25 of an Act entitled "An Act to establish an Inferior Court of Record in all counties in this State having a population of 300,000 or more according to the last or any subsequent Federal Census and to define its jurisdiction and powers; to provide officers therefor and to fix their qualifications, powers, duties and compensation; to prescribe the practice and procedure therein and the way, manner and appeals therefrom," Approved July 20, 1931. (General Acts 1931, page 621, et seq.)

Also:

H. 242. To permit the County Executive Committee of any political party to require that members of said County Executive Committee be elected by the qualified electors of the County.

Also:

H. 261. To provide for the relief of Mrs. Maude Adams Beckman, widow of C. P. Beckman, deceased, and mother of C. P. Beckman, Jr., deceased and the three minor children of the said C. P. Beckman.

Also:

H. 275. To provide that all business and/or occupational licenses which are payable through the office of the Probate Judge or other county, city or town officials authorized to issue licenses may be paid on a quarterly basis; to provide for the dates of such pay-

ment and when same shall become delinquent; to provide that such licenses shall be issued on an annual or semi-annual basis; to provide in case of a delinquency for the payment of the total amount of the license due; to provide for the manner of issuing the licenses and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 282. To amend an Act entitled an "Act relating to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney buses, trailers used on the public highway of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama."

Also:

H. 304. To enlarge the authority, powers and jurisdiction of the Alabama Public Service Commission so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of public utilities, and of their relations and contracts with holding companies and affiliated interests; and so as more effectively to provide for the supervision, inspection and regulation by said Commission in the public interest of the construction, maintenance and operation of such public utilities and of their service, rules, regulations and practices; their rates and charges; facilities and plants; franchises, licenses and contracts; their valuation, financing and securities; to provide for the payment of supervision and inspection fees by utilities, and to provide measures for the enforcement of the Commission's orders and penalties for failure to comply with the orders of the Commission or with the provisions of this Act; and, as a part hereof, to amend sections 9750 and 9753, of the Code of Alabama of 1923.

Also:

H. 325. For the relief of Lieutenant Charles A. Jones, Junior, First Lieutenant of the One Hundred and Sixth Observation Squadron of the Alabama National Guard.

Also:

H. 345. To provide that where an adjoining city has been annexed by vote of the people or otherwise to any class "D" city as defined in an Act of the Legislature approved March 6, 1931, and published in General Acts of Alabama, 1931, on Page 174 et seq., that a commissioner for the consolidated city be elected by the qualified electors residing within the former corporate limits of such annexed city; to fix the time for such election and the manner of holding the same; and to further provide that such commissioner so elected shall hold office until the first Tuesday in October, 1934, and that no successor shall be elected to succeed such commissioner; and to provide that this Act shall not be in force after the first Tuesday in October, 1934; and to fix the duties, powers and compensation of such commissioner so elected.

Also:

H. 358. To amend Section 1 of an Act entitled "An Act to authorize all cities and towns within the State of Alabama to fix and collect licenses for any business, trade or profession done outside the corporate limits but within the police jurisdiction thereof", approved September 6, 1927.

Also:

H. 369. To fix the compensation or salary of the Circuit Clerk of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 372. To require all county officers in Jefferson County, Alabama, to pay into the county treasury all fees, costs, commissions and charges of court, derived from said offices, or moneys charged or collected by them by reason of any official act or for the performance of any service connected directly or indirectly with said offices, or for the sale of any information or copies of any documents, papers, maps or records, relating directly or indirectly to said offices, and to prescribe that the salaries fixed by law shall be the sole and only compensation received by such officers for the performance of the duties of their offices or any act or service charged for by them growing out of their official duties.

Also:

H. 388. To amend House Bill 841 found on page 295 of the Local Acts of 1923, and approved by the Governor, September 27, 1923, the substance of said bill to be amended is as follows: To provide for the establishment, discontinuance, construction, use, working and maintenance of the public roads, bridges and ferries of Walker County, Alabama; to define the duties and powers of the Court of County Commissioners, with regard to the same, and to fix penalties for the violations thereof and to provide for the payment of a per capita tax in lieu of road duty; to provide for the payment of a license or privilege tax on gasoline and to provide for the collection thereof. This bill is to be amended by repealing Sections 17, 18, 19, 20, and 21. Said sections hereby repealed empowered the Court of County Commissioners to provide machinery for the collection of a two cents tax on gasoline, kerosene, and other motor fuels, and Section 17 of said Act levied a local tax of two cents on gasoline, kerosene and other motor fuels. And to provide the time said Act shall go into effect.

Also:

H. 415. To amend an Act approved September 9th, 1927, entitled: "An Act to advance the cause of education by exempting from taxation in this State all property, real and personal, by whomsoever owned, and whether assessed or not, during the entire time, including the current tax year, the net income, rents and returns from which are used, or are to be used, exclusively for

educational purposes in the State of Alabama other than for schools owned or controlled by any religious sect or denomination."

Also:

H. 435. To amend an Act entitled "An Act to alter and rearrange the boundaries of the City of Mobile," by repealing Section 4 of said Act.

Also:

H. 436. To repeal an Act passed by the Legislature of Alabama July 25th, 1931 entitled "An Act to validate, ratify and confirm the previous Acts of the Board of Revenue and Road Commissioners of Mobile County or those acting as such when acting or attempting to act for said County.

Also:

H. 437. To relieve all persons of any legal obligations to work on the public roads in Mobile County, Alabama or to pay any money in lieu of such legal obligations to work on the public roads in Mobile County, Alabama.

Also:

H. 471. To prohibit fraud and deceit in the sale of liquid motor fuels, lubricating oils, greases or other petroleum products; to require the name of the owner of all pumps, containers or other dispensing equipment used in the retail selling of petroleum products or the brand, trade mark or trade name of said petroleum products to be placed and kept placed on said pumps, containers or other dispensing equipment; to prohibit the erasing, defacement, destruction or removal of the name of the owner of said pumps, containers or other dispensing equipment or the said brand, trade mark or trade name of the petroleum products or any word, figure or symbol placed on said pumps, containers or other dispensing equipment without the consent of said owner; to prohibit the sale, exposing or offering for sale of said petroleum products under any name other than the name or trade name given thereto or designated therefor by the manufacturer thereof, and to prohibit adulteration of said product or the substitution of other products therefor; to prohibit the sale or storage of said petroleum products in equipment other than that indicated by the brand, name, trade mark or trade name placed upon said equipment; to prohibit the delivery of petroleum products into any containers, tanks or other equipment other than as indicated by the brand, name, trade name or trade mark appearing on such equipment; to prohibit the imitation by any person, with the intent to deceive of the design, symbol, emblem, color scheme or trade name of any other marketer of petroleum products or the markings of any equipment of any such marketer, without the consent of such other marketer; to provide penalties for the violation of the provisions of this Act; to provide rewards for persons furnishing information leading to the arrest and conviction of persons violating any of the provisions of this Act; to repeal all laws or parts of laws inconsistent with the pro-

visions of this Act, and to repeal an Act entitled "An Act to prohibit the sale of liquid fuels, lubricating oils, and similar products, under false or fictitious names; the use of containers, tanks, pumps or other distributing equipment, for the storage or sale of fuels, oils, or similar products, other than those indicated by the name, device, sign or distinguishing marks, upon such containers, pumps, or distributing equipment; to prohibit adulteration, and fixing penalties", approved July 31, 1931.

Also:

H. 490. To provide for the appointment of Enumerators to take the School Census in all counties having a population of not less than 100,000 and not more than 300,000, according to the last or any subsequent Federal Census, to provide for fixing of their compensation and how said compensation shall be paid.

Also:

H. 492. To amend an Act entitled "An Act to amend Section 4195 (6964) of the 1923 Code of Alabama."

Also:

H. 507. To prevent the practice of nepotism by public officials of Jefferson County, Alabama, by employing persons related within the fourth degree to blood or marriage connected according to the

rules of civil law or related within said degree to any other public official of said county to define the term "public official" as used in this Act, to prohibit such public official from approving or paying any salary, fee or compensation of such ineligible employee, to prescribe the penalty for the violation of this Act. To except from its operation certain employees who have been in the public employment for a prescribed time.

Also:

H. 508. To fix the compensation or salary of the Deputy Clerk of the Criminal Division of the Circuit Court of the Tenth Judicial Circuit of Alabama, and to regulate the payment of the same.

Also:

H. 512. To establish a Jury Board in Jefferson County, Alabama, to fix the membership of said Board, to prescribe the qualifications and terms of office and provide for the appointment of the members thereof; to fix their compensation and to define their duties; to provide for the appointment, duties and compensation of the clerks of said Board, for the qualification of jurors, for the preparation of jury rolls and the filling and refilling of jury boxes; to provide for the method of serving notice upon jurors requiring their attendance for jury service and to provide for the payment of the necessary expenses of such board.

Also:

H. 527. To make State aid available for the repair and equipment of municipally owned school buildings under the control of county boards of education.

Also:

H. 553. To amend an Act entitled "To provide and create a commission form of government and to authorize the adoption of the same in all cities and towns in the State of Alabama which now are not, or hereafter may not be, within the influence or operation of any other valid legislative enactment authorizing or adopting such form of government; to regulate the selection, and election of commissioners and their terms of office and retention in and recall from office; to provide for the selection of one commissioner as mayor, and the retention in office of certain officials; to fix the powers, duties and compensation of such commissioners; to punish improper conduct in connection with elections and petitions hereunder; to abolish boards of public works, police commissioners, councilmen, aldermen, and certain other city and town officials of such municipalities as adopt the said form of government; and generally to authorize and provide for the creation and maintenance of said commission form of government", by re-enacting and amending Section 31 of said Act to provide for the abandonment of commission form of government and the resumption of Aldermanic form of government; to provide for an election of those officers prescribed by the existing general laws of the State relating to municipalities not of the commission government character, the time of holding such election, and the terms of the officers so elected, and to provide for the repeal of all laws in conflict therewith.

Also:

H. 572. To provide for and submit to the qualified electors of the State of Alabama, at an election to be held on the first Tuesday after the first Monday of November 1934 which is more than three months after the final adjournment of the present session of the Legislature at which the amendment is proposed, an amendment to the Constitution of Alabama declaring that from and after its adoption the Legislature may by general or local law without prior publication of notice or advertisement, fix, regulate and alter the salary, fees or compensation of any officer holding any civil office of profit under the City of Mobile, and may increase or diminish same during the term for which said officers shall have been elected or appointed, and that upon the adoption of said amendment the salary of each commissioner of the City of Mobile shall be \$4,000.00 per year until the Legislature shall otherwise fix the salary of said officers.

Also:

H. 574. To amend Section 4820 of the Code of Alabama.

Also:

H. 584. To aid relief of unemployment or destitution, existing or prospective, and to provide employment for excess labor, by authorizing the Governor of Alabama to accept title on behalf of the State to any lands subjected by the owner to any program deemed

by him in aid of such purposes, under such terms for their holding, development, conveyance or reconveyance by the State as he may approve; also to authorize the Governor to agree, as to any such lands and as to any other lands to which title or any interest therein is vested in the State not otherwise held in trust or devoted to public use, with any person, firm, corporation or relief agency approved by him for the purpose upon a program for the holding, use or development and disposition of any such lands for said purposes and for their release therefrom; to authorize any or all such lands to be subjected by and with the approval of the Governor to any lien, conditional sale, lease sale contract, reservation of title, mortgage or other condition or agreement to secure any loan or advance made in furtherance of the program; to authorize the Governor to lend or make available the aid of the State Board of Administration, the State Highway Department or any other state agency (or county agency, the corporate authority of which shall consent) in furtherance of such program and to authorize the Governor to act in the premises directly or through any officer, person, firm, corporation, relief agency or commission to which he may specifically delegate authority in the premises under such appropriate limitations as he may deem proper also to provide for the exemption from privilege taxes of the instruments executed or delivered in furtherance of such program and for the exemption from ad valorem taxes of such lands and improvements and equipment thereon, and the crops and produce thereof until paid out or otherwise released from the program to the extent provided in the Act.

Also:

H. 585. To authorize municipalities and counties, within their respective jurisdictions as defined by the Act, to regulate housing and farm relocation corporations which shall subject themselves to this Act as provided herein.

Also:

H. 594. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue, or other governing body, of counties having a population of more than Two Hundred Thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid."

Also:

H. 598. To further regulate the arrest, confinement and care of insane persons in all counties of the State having a population of 300,000 or more according to the last or any subsequent Federal Census, and to further define the duties of such counties and their officers with respect thereto.

Also:

H. 599. To regulate and prohibit the use of steel traps in Marengo County, Alabama.

Also:

H. 603. To establish a Budget Commission and to provide for the preparation of a budget for Mobile County; to provide that the appropriations by the Board of Revenue and Road Commissioners of Mobile County shall not exceed the income of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by Mobile County, or any department or agency of Mobile County, having charge of the disbursements and expenses of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

Also:

H. 610. To amend Section 130 of the School Code of Alabama.

Also:

H. 621. To amend Section 7 of an Act entitled "An Act to establish a Board of Revenue for Marengo County, and for the abolishment of the Court of County Commissioners of said County," approved September 19, 1923.

Also:

H. 649. To place the Probate Judge, Tax Assessor, Tax Collector, Clerk of the Circuit Court and the Register in Chancery of Mobile County, Alabama, on a salary basis, and to provide the salaries to be paid each of such officers; to provide the date on which each of such officers shall be placed on a salary basis; to provide for the manner of payment of the salaries of such officers out of the County Treasury of Mobile County, Alabama; to provide secretaries, clerks, assistants, clerical help and allowances for each of such officers and to provide the salaries and manner of payment of such salaries for such secretaries, clerks, assistants and clerical help; to provide for payment into the Treasury of Mobile County of all fees, fines and forfeitures collected by said officers; and to provide that nothing in this Act shall be construed to mean that the Tax Collector and Tax Assessor shall not be entitled to the fees, salaries and commissions now provided by law for the collection of public school moneys.

Also:

H. 650. For the relief of W. T. Scales.

Also:

H. 651. For the relief of E. C. Godfrey.

Also:

H. 655. To repeal an act entitled "An Act to better secure the administration of the financial affairs of the State and for that purpose to vest in the Governor certain powers and duties; to create the office, define the powers and duties and fix the salary of a State Comptroller; to provide for the transfer of the Department of Examiners of Accounts, its personnel, appropriations, records, equip-

ment and other property to the office of State Comptroller and to designate it as the division of Departmental and County Audits; to abolish the Budget Commission, and to transfer the books, property and equipment of the Budget Commission to the office of the Comptroller; to relieve the State Auditor of certain duties and to provide for the transfer of certain employees and of unexpended balance of appropriations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of State Comptroller; to relieve the Board of Administration of certain duties and to provide for the transfer of certain employees and of unexpended balance of appropriations made for the salaries, together with certain books, records, documents, papers, office furniture and equipment and other property to the office of the State Comptroller; to provide for the transfer of the Secretary of the Senate and Clerk of the House of Representatives to the State Comptroller's Office during such time as the Legislature is not in session; to repeal certain definite, indefinite and contingent permanent appropriations, to establish a State Budget System; to provide for the lapsing of appropriations; to provide for the transmission of the Budget to the Legislature; to provide a method for securing estimates of appropriations and for estimates of income of the State; to provide a tentative budget and to provide for hearings on the same; to provide for transmission of the tentative budget to the Governor; to provide for prorating appropriations to prevent an overdraft or deficit in any fiscal year for which appropriations are made; to provide for allotting appropriations to departments, institutions, bureaus, boards, commissions and other State agencies; to provide emergency appropriations; to provide that money received by departments, institutions, bureaus, boards, commissions, or other state agencies shall be deposited in the Treasury and to provide how the same shall be held and paid out; to prevent the wrongful expending of appropriations and to provide penalties and punishment; to establish a fiscal year for the State and all State Agencies; to provide when this Act shall go into effect and to provide for the repeal of certain laws in conflict with this Act", Approved September 27th, 1932, in so far as the same may or can affect the payment, extension or renewal of certificated warrants outstanding or existing on September 30th, 1932.

Also:

H. 661. To authorize cities and towns to construct, own, equip, operate, maintain and improve works for the collection and/or treatment, purification and disposal of sewage; to authorize charges against owners of premises for the use of such works and to provide for the collection of same; to authorize cities and towns to issue revenue bonds payable solely from the revenues of such works and to make such bonds exempt from taxation; to authorize contracts for the use of such works by other cities, towns and political

subdivisions and charges against owners of premises therein served thereby and a lien against such premises.

Also:

H. 662. Further to provide for the purchase, construction and improvement of waterworks systems in cities, villages and incorporated towns in the State of Alabama, and to provide for the issuance of revenue bonds payable solely out of the revenues derived therefrom, and to provide for the operation of such systems in case of deficiencies in revenue.

Also:

H. 667. To authorize and empower the Courts of County Commissioners in all counties of Alabama which now have or may hereafter have a population of less than eighteen thousand, according to the last or any subsequent Federal Census, to transfer any Road and Bridge Funds that were levied and collected within the County or any Fine and Forfeiture Funds of the County at any meeting of said Court in any calendar year to the general fund of the County and to ratify like transfers heretofore made and to repeal all laws and parts of laws in conflict with this Act.

Also:

H. 668. To authorize and empower the Courts of County Commissioners in all Counties of Alabama which now have or may hereafter have a population of less than eighteen thousand according to the last or any subsequent Federal Census to use twenty per cent of the funds derived from the excise tax on gasoline or other liquid motor fuels, levied under the Act of the Legislature of Alabama, approved February 10, 1923, entitled, "An Act imposing an excise tax on persons, corporations, co-partnerships, companies, agencies or associations engaged in the business of selling or distributing gasoline, or other liquid motor fuels, in this State—providing for the collection and payment of such tax and the distribution of the funds derived therefrom and fixing penalties for the violation of any of the provisions of this Act," which is to be paid to said counties under the provisions of Sec. 83 of the Act of the Legislature of Alabama, approved August 22, 1923, entitled, "An Act in reference to, and to further provide for, the general revenue of the State of Alabama," for the purpose of paying the past due and future salaries of school teachers for teaching school in class room work in the respective counties, and to repeal all laws and parts of laws in conflict with this Act.

Also:

H. 688. To provide for and authorize the election of a Recorder by the Board of Commissioners in all cities in the State of Alabama, which now have a population of 24,000 and less than 40,000 people, according to the last Federal Census or which hereafter may have such a population according to any such census that may hereafter be taken, and to authorize such board of Commissioners to fix the salary or compensation of such recorder, and to provide that such

Recorder's term of office shall be at the will of the Commission, and to fix the jurisdiction of such Recorder.

Also:

H. J. R. 152. To petition the Congress of the United States of America, to give relief to those farmers who can show that they are unable to pay instalments on loans and to provide a moratorium of from three to five years.

J. H. Stewart,
Clerk.

SIGNING OF BILLS AND RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and resolution, the titles of which are set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 212. To amend Section 2916 of the Code of Alabama of 1923.

S. 213. To amend Section 1 of an Act entitled, "An Act to amend Sections 2927 and 2929 of the 1923 Code of Alabama, (approved March 5, 1931)".

S. 222. To amend Section 1 of an Act entitled "to transfer the jurisdiction of the juvenile courts in all counties of thirty-five thousand population or less according to the last or any subsequent Federal Census to county inferior courts that are now or have been or may hereafter be established in any such counties," approved July 22, 1931, by providing that such Act shall not apply to counties which now have or may hereafter have a population of less than twenty-five thousand inhabitants according to the last or any subsequent Federal Census, and to provide for the transfer of the juvenile court jurisdiction in such counties to the probate courts thereof.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference heretofore appointed on the disagreement of the two Houses on the House amendment to the bill:

S. 179. To fix the minimum school age at which children may enter public schools.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-curred in the Senate amendment to the bill:

H. 313. To grant the right and privilege to any regularly and duly licensed broadcasting station or company operating within the State of Alabama to broadcast by radio all athletic contests or games staged by or sponsored by or participated in, within the State of Alabama, by any educational institution located within the State of Alabama and which derives or receives any financial aid, support or contribution from the State of Alabama or any political subdivision or agency thereof; and to make it unlawful for any executive officer, board of trustees, or any person acting on behalf of any such educational institution to refuse or prohibit such right or privilege to any such broadcasting company or station.

And request committee of conference on the disagreement of the two houses, and the Speaker of the House has named as conferees on part of the House Messrs. Green, Mulky and Manasco.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Warren, the Senate accedes to the request of the House for a Committee of Conference on the disagreement of the two Houses on the Senate amendment to H. B. 313, the title of which is set out in the foregoing Message from the House, and the President of the Senate appointed as Conferees on part of the Senate Messrs. Warren, Hooton and Riddle.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 532. To fix the salary of the Judge of Probate of Calhoun County and to provide for clerical assistance and other expenses of said office to fix the salary of Tax Collector of Calhoun County, and to provide for the clerical assistance and other expenses of said office; to fix the salary of the Tax Assessor of Calhoun County, and to provide for clerical assistance and other expenses of said office; to require each of said officers to collect all the fees, compensations, and allowances, heretofore collected by said officers, and which may hereafter be collected by said officers, and cover same into the County Treasury on or before the fifth day of each month, and to

provide for the payment of the salary, clerical assistance, and other office expense by the Treasurer of the County.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 78. To provide that all liens now or hereafter acquired by cities and towns in this State for public improvements under the general laws of this State shall continue until the same are paid or satisfied in full.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hildreth, the Senate concurred in the following amendment by the House to S. 78, the title of which is set out in the foregoing Message from the House, to-wit:

A BILL

To be entitled An Act to provide that all liens for public improvements which cities and towns in this State now have or may hereafter acquire under the general laws of this State, shall continue until same are paid or satisfied in full.

Be it enacted by the Legislature of Alabama:

Section 1. All liens for public improvements which cities and towns in this State now have or may hereafter acquire under the general laws of this State, shall continue until same are paid or satisfied in full.

Yeas, 24; nays, 0.

Yeas:

Members:

Beasley	Duncan	Hooton	Powell
Brown	Edmundson	Hubbard	Riddle
Cooper	Faulk	Kelley	Scruggs
Craft	Garrett	McDaniel	Shepherd
Darden	Goodwin	Millsap	Warren
Delony	Hildreth	Mullins	Wikle

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MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed:

S. 46. To amend Section 50 of an Act of the Legislature of Alabama, approved September 10, 1927, and entitled "An Act to

provide a Code of Laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefited or increased in value by reason of such improvements, and amending sections 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2236, 2237, of the Code of Alabama of 1923; and repealing Sections 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235 of said Code; and to repeal all laws in conflict with the same."

Also:

S. 228. To fix time allowed Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the Senate and House of Representatives of this Session of the Legislature to the Secretary of State.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Walker, the Senate concurred in the following amendment by the House to S. B. 46, the title of which is set out in the foregoing Message from the House, to-wit:

Committee amendment to S. 46 by Walker:

Substitute the words "ten per cent per annum" where the words "8% per annum" appear therein.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett
Cooper
Craft
Darden
Delony

Duncan
Farmer
Faulk
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Kelley
Millsap

Mullins
Riddle
Walker
Warren
Wikle

—20

On motion of Mr. Powell, the Senate concurred in the following amendment by the House to S. 228, the title of which is set out in the foregoing Message from the House, to-wit:

A BILL

To be entitled An Act to fix the time allowed the Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the House and Senate to the

Secretary of State and copy and deliver the Journals of their respective Houses, with proper indexes thereto, to the public printer, and to provide for the payment of the compensation provided by law for such services to the Secretary of the Senate and the Clerk of the House of Representatives.

Be it enacted by the Legislature of Alabama:

Section 1. That the Secretary of the Senate and the Clerk of the House of Representatives shall be allowed six weeks from the date of the final adjournment of this session of the Legislature of Alabama in which to check, compare and deliver the Journals of the House and Senate to the Secretary of State and copy and deliver the Journals of their respective Houses, with proper indexes thereto, to the public printer.

Section 2. That the compensation provided by law for such services, when performed, shall be paid out of the appropriation heretofore made for the per diem and expenses of this session of the Legislature and shall be paid upon presentation to the State Comptroller of proper certificates signed by the proper officers of the respective Houses.

Section 3. That all laws and parts of laws in conflict with the provisions of this Act, be and the same are, hereby repealed.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Brown	Farmer	Hubbard	Scruggs
Cooper	Faulk	Kelley	Warren
Craft	Garrett	Lapsley	Wikle
Darden	Goodwin	Millsap	

—23

BILLS ON THIRD READING

The bill:

H. 173. To amend Section Three of an Act entitled An Act in reference to and to further provide for the general revenue of the State of Alabama, approved August 22, 1923.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hildreth	Powell
Beasley	Delony	Hooton	Scruggs
Bonner	Duncan	Hubbard	Shepherd
Brown	Farmer	Kelley	Walker
Cooper	Garrett	Lapsley	Warren
Cowart	Goodwin	McDaniel	Wikle
Craft			

—25

The bill:

H. 609. To prohibit the use of steel traps and similar devices in Etowah County, Alabama and prescribe punishment for the violation of this Act.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

The bill:

H. 652. To amend section 4 of an Act entitled an Act to amend Sections 4 and 6 of an Act entitled an Act "To prescribe the qualifications and terms of the judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority, approved July 17, 1931."

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

The bill:

H. 541. To amend Section Three of an Act entitled an Act in reference to and to further provide for the general revenues of the State of Alabama, approved August 22, 1923.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to said bill to-wit:

Amend H. 541 by striking out, after the word "That" in line 18 of Section 3 of the bill, the following words; "In counties of over 300,000 population, according to the last or any subsequent Federal Census."

Which was adopted.

Yeas, 23; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hubbard	Powell
Beasley	Duncan	Kelley	Shepherd
Bonner	Garrett	Lapsley	Walker
Cowart	Goodwin	McDaniel	Warren
Craft	Hildreth	Millsap	Wikle
Darden	Hooton	Mullins	

—23

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hooton	Powell
Bonner	Duncan	Hubbard	Scruggs
Brown	Faulk	Kelley	Walker
Cooper	Garrett	Lapsley	Warren
Cowart	Goodwin	Mullins	Wikle
Darden	Hildreth		

—22

H. 392. To provide for the issuance of registered warrants in exchange for State warrants which were outstanding and unpaid on September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view of furthering their negotiability, including, inter alia, exemption from taxation, eligibility for investments and depositary requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments, shall not be subject to reduction under Act No. 37, approved September 27, 1932.

Was taken up.

Mr. Lapsley offered the following amendment to said bill to-wit:

Amend H. No. 392 as follows:

Amend said bill adding an additional paragraph to read as follows:

Section 21. Nothing contained in this Act nor in the warrants to be issued hereunder shall be construed as a contract or other limitation upon the power, hereby expressly reserved to the Legislature, to enlarge, supplement, amend, modify or repeal any appropriation made by this Act or any other provision thereof.

Mr. McDaniel moved that the bill and pending amendment be indefinitely postponed, which motion prevailed and the bill and amendment were indefinitely postponed.

Yeas, 17; nays, 15.

Yeas:

Messrs.:

Beasley	Farmer	McDaniel	Teasley
Craft	Fletcher	Millsap	Walker
Darden	Garrett	Powell	Warren
Delony	Hubbard	Shepherd	Wikle
Edmundson			

—17

Nays:

Messrs.:

Bartlett	Cowart	Hildreth	Mullins
Bonner	Duncan	Hooton	Riddle
Brown	Faulk	Kelley	Scruggs
Cooper	Goodwin	Lapsley	

—15

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 168. To impose all the duties of the State Securities Commission and the duties of the President and Associate Members of said Commission under existing law upon the Superintendent of Banks of this State; and to invest in the Superintendent of Banks all the authority, rights, privileges and immunities of the State Securities Commission and of the President and Associate Members of said Commission; and to provide that on and after the effective date of this Act the State Securities Commission shall be composed of the Superintendent of Banks of this State; and to provide that the State Securities Commission shall have its office in the office of the Superintendent of Banks of this State.

Also:

S. 246. To establish a Budget and provide for the preparation of a Budget for the Public School System of Mobile County by the Board of School Commissioners of Mobile County; to provide that the appropriations by such Board shall not exceed the income of the Public School System of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by the Board of School Commissioners of Mobile County or any department or agency of the Public School System of Mobile County having charge of the disbursements and expenditures of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the amendment proposed by His Excellency, the Governor, to the bill:

S. 197. To provide for the leasing to the State Highway Department of the State of Alabama by the Alabama State Bridge Corporation of all of the bridges and other property now owned by the Alabama State Bridge Corporation; to provide the method and manner of execution of said lease and the future use of said property, and to make an appropriation therefor.

By a vote of a majority of the whole number elected to the House, said vote being: Yeas, 36; nays, 53.

And the House has reconsidered and again passed said bill, S. 197, by a vote of a majority of the whole number elected to the House, said vote being: Yeas, 58; nays, 30.

And said bill, together with the Governor's Message containing his proposed amendment are returned herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

~~Mr. Scruggs moved that the Senate reconsider and again pass S. 197, the title of which is set out in the foregoing Message from the House, the Governor's veto to the contrary notwithstanding, which motion was lost.~~

Yeas, 15; nays, 14.

Yeas:

Messrs.:

Bartlett
Beasley
Craft
Darden

Garrett
Goodwin
Hildreth
Hubbard

Kelley
Lapsley
Millsap
Mullins

Riddle
Scruggs
Warren

—15

Nays:

Messrs.:

Bonner
Brown
Cooper
Coward

Delony
Duncan
Edmundson
Farmer

Fletcher
McDowell
Powell

Shepherd
Walker
Wikle

—14

PAIR ANNOUNCED

Mr. Faulk announced that he and Mr. McDowell were paired on this vote; that Mr. McDowell, if present, would vote aye and he, Mr. Faulk, would vote nay.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.

Gentlemen:—

I am herewith returning to the Senate, the body in which it originated, Senate Bill No. 196, without my approval.

The Legislature has decided not to accept the amendment offered by me to Senate Bill No. 197 and should this bill not become a law, then Senate Bill No. 196, amending the Bridge law of 1927, should not become a law, and the law in my opinion should be left as it is.

November 1, 1932.

Respectfully,

B. M. MILLER,
Governor.

GOVERNOR'S MESSAGE

Mr. Scruggs moved that the Senate reconsider and again pass the bill:

S. 196. To amend Section 1 of an Act entitled: "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the President of the State Board of Administration of Alabama and the Chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches, for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama," approved August 31, 1927.

The Governor's veto to the contrary notwithstanding, which motion was lost and the Senate refused to reconsider and pass said bill over the Governor's veto.

Yeas, 13; nays, 9.

Yeas:

Messrs.:

Bartlett	Farmer	Hubbard	Mullins	
Beasley	Garrett	Kelley	Scruggs	
Craft	Hildreth	Millsap	Warren	
Darden				—13

Nays:

Messrs.:

Bonner	Duncan	Fletcher	Shepherd	
Cooper	Edmundson	Powell	Walker	
Delony				— 9

PAIR ANNOUNCED

Mr. Faulk announced that he and Mr. McDowell were paired on this vote; that Mr. McDowell, if present, would vote aye and he, Mr. Faulk, would vote nay.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 272. In relation to the Educational System of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness incurred for capital outlay for institutions under the general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute, The University of Alabama and the Alabama College.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Teasley, the Senate concurred in the following amendment by the House to S. 272, the title of which is set out in the foregoing Message from the House to-wit:

House substitute for S. 272 by Mr. Teasley:

A BILL

To be entitled an Act in relation to the educational system of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding in-

general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute, the University of Alabama and the Alabama College.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated out of the State Treasury to the State Board of Education, for the purpose of paying the balance due on appropriations, as follows: (1) For the Alabama School of Trades, located at Gadsden, the sum of \$100,000.00. (2) For the State Normal School, located at Troy, the sum of \$75,000.00. (3) For the State Normal School, located at Florence, the sum of \$100,000.00. (4) For the State Normal School, located at Jacksonville, the sum of \$100,000.00. (5) For the State Normal School, located at Livingston, the sum of \$50,000.00. (6) For the State Normal School located at Montgomery, the sum of \$37,500.00. (7) For the Agricultural and Mechanical Institute for Negroes located at Normal, the sum of \$50,000.00. (8) For the State Normal School, located at Daphne, \$180,000.00, provided that said appropriations for the State Normal School located at Daphne shall be available only in accordance with the provisions of an Act adopted the 29th day of September, 1919, appearing on page 741 of Printed Acts of 1919, and in accordance with the provisions of an Act adopted on August 25, 1927, appearing on pages 443 and 444 of Printed Acts of 1927.

Section 2. That there is hereby appropriated out of the Treasury of the State for the purpose of paying the balance due on appropriations for additions to grounds, buildings, and equipment

and for the payment of outstanding indebtedness incurred for capital outlays as follows:

- (1) To the Alabama College, the sum of \$200,000.00.
- (2) To the Alabama Polytechnic Institute, the sum of \$250,000.00.

- (3) To the University of Alabama, the sum of \$250,000.00.

Section 3. There is hereby appropriated out of the State Treasury to the Board of Education for the purpose of paying the balance due for outstanding indebtedness incurred for capital outlays, as follows:

- (1) For the State Normal School located at Troy, the sum of \$104,783.02.

- (2) For the State Normal School located at Florence, the sum of \$287,805.16.

- (3) For the State Normal School located at Jacksonville the sum of \$232,869.31.

- (4) For the State Normal School located at Livingston, the sum of \$95,625.00.

- (5) For the State Normal School located at Montgomery, the sum of \$152,413.59.

- (6) For the Agricultural and Mechanical Institute for Negroes, located at Normal, the sum of \$55,733.62.

Section 4. The appropriations in the three preceding sections shall not lapse, but shall remain in full force and effect until paid, but shall be paid as hereinafter provided.

Section 5. All appropriations made under this Act shall be payable out of the proceeds of bonds in the event that the bond amendment to the Constitution, known as Article 23, is ratified by the people on November 8, 1932. But if the said amendment to the Constitution is defeated the said appropriation shall be paid in any manner adopted by the Legislature for liquidation and settlement of outstanding indebtedness. In the event that said bond amendment is not ratified by the people or in the event no method of liquidation of outstanding indebtedness of the State is provided by the Legislature, all of said appropriations shall be paid out of the surplus remaining in the Special Educational Trust Fund, after other appropriations made from said fund are paid, provided that the sum appropriated under this Act shall be payable in whole or in part from time to time as funds are available, and when paid, shall be pro rated among the several purposes or institutions, payable to each purpose or institution for which appropriation is made in said Act in proportion to the amount appropriated to each such purpose or institution in said Act. And provided further that all or any part of the appropriations made in this Act which remain unpaid at the end of the period for which they are made, shall be and are hereby continued in full force and effect until paid in full in the manner provided in this Act.

Section 6. That the appropriations made in Sections 1, and 2 of this Act shall be paid in full before any funds shall be available to pay the appropriations under Section 3 of this Act.

Section 7. That the appropriations herein made are, and shall be subject to the terms, conditions, provisions and limitations of the Budget and Financial Control Act.

Section 8. That all laws, and parts of laws, general, special or private, in conflict with the terms and provisions of this Act, be and the same are hereby repealed.

Amend the title to House substitute for S. 272 so as to read as follows:

A BILL

To be entitled an Act in relation to the educational system of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness incurred for capital outlays for institutions under the general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute, the University of Alabama and the Alabama College, and to repeal

Amend substitute for S. 272:

By adding thereto Section 7-½ so as to read as follows:

Section 7-½. Section 58 of the School Code of Alabama of 1927 be and the same is hereby repealed.

Amend substitute S. 272, Section 1, by adding sub-section No. 9—For Alabama Boys Industrial School, East Lake, the sum of \$83,333.32; and add sub-section 4 to Section 2, to read as follows: To the Alabama Boys Industrial School, East Lake, the sum of \$83,333.32.

Yeas, 24; nays, 4.

Yeas:

Messrs.:

Beasley	Delony	Hubbard	Powell
Bonner	Edmundson	Kelley	Scruggs
Brown	Fletcher	Lapsley	Teasley
Cowart	Garrett	McDaniel	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hooton	Mullins	Wikle

—24

Nays: Messrs. Bartlett, Duncan, Faulk and Hildreth

— 4

REPORT OF CONFERENCE COMMITTEE

To the President of the Senate and Speaker of the House:

We, your joint conference committee appointed to consider H. 313, report as follows:

We recommend that the Senate Amendment to said bill by Senator Hooton be stricken out.

We further recommend that Section 4 of said bill be stricken out and that the following be substituted for said Section 4:

"Section 4. This act shall take effect immediately upon the passage of a law having similar effect by any five of the following named states, to-wit:

Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Kentucky, Mississippi and Louisiana, but shall have no effect until five of said states have passed a law having similar effect".

Respectfully submitted,

W. C. WARREN,
D. HARDY RIDDLE,
PAUL J. HOOTON,

On the part of the Senate.

W. COOPER GREEN,
JAMES A. MULKEY,
CARTER MANASCO,

On the part of the House.

CONFERENCE REPORT

On motion of Mr. Craft, the Senate concurred in and adopted the foregoing report of the Committee of Conference on disagreement of the two Houses on the Senate amendment to the bill:

H. 313. To grant the right and privilege to any regularly and duly licensed broadcasting station or company operating within the State of Alabama to broadcast by radio all athletic contests or games staged by or sponsored by or participated in, within the State of Alabama, by any educational institution located within the State of Alabama and which derives or receives any financial aid, support or contributions from the State of Alabama or any political subdivision or agency thereof; and to make it unlawful for any executive officer, board of trustees, or any person acting on behalf of any such educational institution to refuse or prohibit such right or privilege to any such broadcasting company or station.

Yeas, 27; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Faulk	Kelley	Walker
Cowart	Fletcher	McDaniel	Warren
Craft	Garrett	Millsap	Wikle
Darden	Goodwin	Mullins	

—27

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 78. To provide that all liens for public improvements which cities and towns in this State now have or may hereafter acquire

under the general laws of this State, shall continue until same are paid or satisfied in full.

S. 179. To fix the minimum school age at which children may enter public schools.

S. 212. To amend Section 2916 of the Code of Alabama of 1923.

S. 213. To amend Section 1 of an Act entitled, "An Act to amend Sections 2927 and 2929 of the 1923 Code of Alabama, (approved March 5, 1931)".

S. 222. To amend Section 1 of an Act entitled "to transfer the jurisdiction of the juvenile courts in all counties of thirty-five thousand population or less according to the last or any subsequent Federal Census to county inferior courts that are now or have been or may hereafter be established in any such counties," approved July 22, 1931, by providing that such Act shall not apply to counties which now have or may hereafter have a population of less than twenty-five thousand inhabitants according to the last or any subsequent Federal Census, and to provide for the transfer of the juvenile court jurisdiction in such counties to the probate courts thereof.

S. 228. To fix the time allowed the Secretary of the Senate

deliver the Journals of the House and Senate to the Secretary of State and copy and deliver the Journals of their respective Houses, with proper indexes thereto, to the public printer, and to provide for the payment of the compensation provided by law for such services to the Secretary of the Senate and the Clerk of the House of Representatives.

S. 46. To amend Section 50 of an Act of the Legislature of Alabama, approved September 10, 1927, and entitled "An Act to provide a Code of laws defining the powers of municipal corporations in this state with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefited or increased in value by reason of such improvement; and amending sections 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2236, 2237, of the Code of Alabama of 1923, and repealing Sections 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235 of said Code; and to repeal all laws in conflict with the same."

S. 168. To impose all the duties of the State Securities Commission and the duties of the President and Associate Members of said Commission under existing law upon the Superintendent of Banks of this State; and to invest in the Superintendent of Banks all the

authority, rights, privileges and immunities of the State Securities Commission and of the President and Associate Members of said Commission; and to provide that on and after the effective date of this Act the State Securities Commission shall be composed of the Superintendent of Banks of this State; and to provide that the State Securities Commission shall have its office in the office of the Superintendent of Banks of this State.

S. 246. To establish a Budget and provide for the preparation of a Budget for the Public School System of Mobile County by the Board of School Commissioners of Mobile County; to provide that the appropriations by such Board shall not exceed the income of the Public School System of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by the Board of School Commissioners of Mobile County or any department or agency of the Public School System of Mobile County having charge of the disbursements and expenditures of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Report of Committee on Enrolled Bills.

MOTION TO RECONSIDER VOTE

Mr. Warren moved that the Senate reconsider the vote by which it indefinitely postponed the bill:

H. 392. To provide for the issuance of registered warrants in exchange for State warrants which were outstanding and unpaid on September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability, including inter alia, exemption from taxation, eligibility for investments and depositary requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments, shall not be sub-

ject to reduction under Act No. 37, approved September 27, 1932.

Mr. Bonner moved to table the motion to reconsider, which motion was lost.

Yeas, 15; nays, 17.

Yeas:

Messrs.:

Beasley	Edmundson	McDaniel	Teasley	
Cooper	Farmer	Millsap	Walker	
Cowart	Fletcher	Powell	Wikle	
Darden	Garrett	Shepherd		—15

Nays:

Messrs.:

Bartlett	Duncan	Hooton	Mullins	
Bonner	Faulk	Hubbard	Riddle	
Brown	Goodwin	Kelley	Scruggs	
Craft	Hildreth	Lapsley	Warren	
Delony				—17

The motion of Mr. Warren to reconsider said vote then prevailed, and said vote was reconsidered.

Yeas, 18; nays, 14.

Messrs.:

Bartlett	Delony	Hooton	Mullins	
Bonner	Duncan	Hubbard	Riddle	
Brown	Faulk	Kelley	Scruggs	
Cooper	Goodwin	Lapsley	Warren	
Cowart	Hildreth			—18

Nays:

Messrs.:

Beasley	Farmer	Millsap	Teasley	
Craft	Fletcher	Powell	Walker	
Darden	Garrett	Shepherd	Wikle	
Edmundson	McDaniel			—14

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama,
Montgomery, Alabama.
Gentlemen:

I am herewith returning to the Senate, the body in which it originated, Senate Bill No. 25 without my approval.

I recommend the following amendments to the bill which, if adopted, will cause the bill to meet my approval:

1. Amend Section 1 of the Bill so that the provisions as follows: "any officer or employee of the State receiving \$6,000.00 and less than \$8,000.00 shall be reduced 27½ per cent" shall read as follows:

"any officer or employee of the State receiving \$6,000.00 and less than \$8,000.00 shall be reduced 20 per cent".

2. Amend Section 1 of the Bill so that the provision as follows: "Any officer or employee of the State receiving \$4,000.00 and less than \$6,000.00 shall be reduced 25 per cent", shall read as follows:

"any officer or employee of the State receiving \$4,000.00 and less than \$6,000.00 shall be reduced 15 per cent".

3. Amend Section 1 of the Bill so that the provision as follows: "any officer or employee of the State receiving \$2,000.00 and less than \$4,000.00 shall be reduced 20 per cent", shall read as follows:

"any officer or employee of the State receiving \$2,000.00 and less than \$4,000.00 shall be reduced 10 per cent".

4. Amend Section 1 of the Bill so that the provision as follows: "any officer or employee of the State receiving \$1,200.00 and less than \$2,000.00 shall be reduced 15 per cent", shall read as follows:

"any officer or employee of the State receiving \$1,200.00 and less than \$2,000.00 shall be reduced 5 per cent".

5. At the end of Section 1 where there is a period (.) after the word "county" put a semicolon (;) instead of a period (.) and add the following: "provided further that the salary of the Secretary of State shall be \$4,000.00 per annum; the salary of the State Auditor shall be \$4,000.00 per annum; the salary of the State Treasurer shall be \$4,000.00 per annum; and the salary of the Chief Examiner of Accounts shall be \$4,000.00 per annum".

6. Amend Section 2 of the Bill by substituting for the period (.) at the end of the Section a semicolon (;) and by adding the following provision:

"provided that the act shall become effective as to the Chief Justice and Associate Justices of the Supreme Court on the expiration of the present terms of the two Associate Justices last expiring".

My reasons for recommending the foregoing amendments to the Bill as passed by you are as follows:

1. I believe that the salary of the Chief Justice of the Supreme Court of Alabama, of the Associate Justices of the Supreme Court and of the Governor should not be less than \$6,000.00 per annum. You understand, of course, that this does not effect me personally. The reduction in salary begins with the term of my successor and is not in effect during my term. If it applied to my salary I would not make the recommendation that the reduction be less than the amount in the bill. I stated to you in my opening message and in other messages that I would be glad to accept any reduction which you might make in my salary.

While we are in a great depression we must think and act as far as possible for the good of the State of Alabama and I can not believe that it would be well to reduce the salaries of the Chief Executive and Supreme Court Judges below \$6,000.00.

2. I have recommended a lower percentage than that in the bill as passed by you where the salaries are below \$8,000.00 for the reason that I do not believe that the employees can do the work and live in Montgomery for less compensation than that suggested by me in the amendment. In all of the places effected by these reductions the full time of each official or employee is required. In order for an official or employee to do efficient work he must make a living wage. I believe that the percentage reductions recommended in the amendment are reasonable and hope that you will find them so.

3. The salary of the Secretary of State, State Auditor, State Treasurer and Chief Examiner of Accounts has already been reduced \$1,200.00 by the abolishment of the Budget Commission. I do not believe that these salaries should be further reduced and I think that the salaries should remain at \$4,000.00.

4. I suggested the amendment with reference to the salaries of the Justices of the Supreme Court, that the reduction begin at the expiration of the present terms of the two Associate Justices last expiring, for the reason that my attention has been called to the fact that if this amendment were not made some members of the Court would be paid less than other members. All members would be doing the same work and would be working together. A portion would be working for \$5,400.00 and a portion for \$7,500.00

under the bill as passed and a portion would be working for \$6,000.00 and a portion for \$7,500.00 under the amendment suggested by me if the last amendment with reference to the time the act goes into effect with reference to salaries of the Judges of the Supreme Court were not adopted.

Respectfully,

B. M. MILLER,
Governor.

November 4, 1932.

GOVERNOR'S MESSAGE

On motion of Mr. Powell, the Senate concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 25. Relating to the salary or compensation of officers or employees of the State, or of any department thereof whose compensation is paid out of State Treasury.

Said amendment being set out in the foregoing Message from His Excellency, the Governor.

Yeas, 16; nays, 15.

Yeas:

Messrs.:

Beasley
Brown
Cowart

Darden
Hooton
Lapsley

Mullins
Powell
Riddle

Teasley
Warren
Wikle

—16

Nays:

Messrs.:

Bonner
Cooper
Delony
Duncan

Edmundson
Farmer
Faulk
Fletcher

Garrett
Goodwin
Hildreth
Hubbard

Kelley
Millsap
Walker

—15

PAIR ANNOUNCED

Mr. Shepherd announced that he and Mr. Caffey were paired on this vote; that Mr. Caffey, if present, would vote aye and he, Mr. Shepherd, would vote nay.

And said bill, as thus amended, by the amendment of His Excellency, the Governor, was again read a third time at length and passed.

Yeas, 31; nays, 1.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Cooper
Cowart
Craft
Darden
Delony

Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin
Hildreth

Hooton
Hubbard
Kelley
Lapsley
McDaniel
Millsap
Mullins
Powell

Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—31

Nay: Mr. Bonner

1

RECESS

At 1 P. M., on motion of Mr. Farmer, the Senate took a recess until 2:30 this afternoon.

AFTERNOON SESSION—THIRTIETH DAY

Friday, November 4th, 1932.

The Senate re-assembled at 2:30 o'clock P. M., Lieutenant-Governor Merrill presiding.

ROLL CALL

Present:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Kelley
Lapsley
McDaniel
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—32

RESOLUTION

The Rules Committee reported the following Senate Resolution:

S. R. 104. Resolved by the Senate, that the following bills be made special orders on call of calendar beginning at 2:40 P. M. to be called as listed below:

H. 328, page 11.

H. 137, page 27.

H. 689, page 24.

H. 259, page 27.

H. 663, page 23.

H. 167, page 24.

H. 625, page 15.

And on motion of Mr. Powell, said report was concurred in and the resolution adopted.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Shepherd, the Senate indefinitely postponed further consideration of the bill:

H. 606. To repeal an Act entitled "An Act to regulate the business of money brokers or persons who lend money for themselves

or others on bill of sale, notes or mortgages on personal property or other personal security in Jefferson, Morgan, Walker, and Etowah Counties; approved March 9, 1901" so far as the said Act applies to Walker County.

On motion of Mr. Teasley, the Senate indefinitely postponed further consideration of the bill:

H. 392. To provide for the issuance of registered warrants in exchange for State warrants which were outstanding and unpaid on September 30, 1932; for the transfer, and for recording the transfers thereof; to appropriate moneys for the liquidation of said registered warrants and to define the sources thereof, and for an allowance equivalent to stated interest upon the unpaid balances thereof, subject to the conditions prescribed in the Act; and otherwise to define certain characteristics of said warrants and privileges incident thereto, rights of the owners thereof and duties of certain public officers relative thereto, with a view to furthering their negotiability, including, inter alia, exemption from taxation, eligibility for investments and depositary requirements and as security for public funds and for bonds of public officers, the handling thereof by boards of education and other agencies of the State; also to provide that said appropriations for such payments, shall not be subject to reduction under Act No. 37, approved September 27, 1932.

Yeas, 17; nays, 8.

Yeas:

Messrs.:

Beasley	Edmundson	Hooton	Shepherd
Cooper	Farmer	Millsap	Teasley
Cowart	Fletcher	Powell	Walker
Craft	Garrett	Scruggs	Wikle
Delony			

—17

Nays:

Messrs.:

Bartlett	Darden	Goodwin	Lapsley
Brown	Duncan	Hubbard	Warren

— 8

PAIR ANNOUNCED

Mr. Bonner announced that he and Mr. Caffey were paired on this vote; that Mr. Caffey, if present, would vote aye; and he, Mr. Bonner, would vote nay.

BILLS ON THIRD READING

The bill:

H. 328. Pertaining to the apportionment of the Equalization Fund provided by the Legislature for the equalization of educational opportunities in the public schools of the State.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Goodwin	Mullins
Bonner	Delony	Hildreth	Scruggs
Brown	Duncan	Hooton	Walker
Cooper	Farmer	Lapsley	Warren
Cowart	Faulk	McDaniel	Wikle
Craft	Garrett		

—22

The bill:

H. 259. To provide that purchasers, lien holders or mortgagees of real estate or personal property may discharge tax liens against such real estate or personal property purchased or on which a lien or mortgage is held by paying the actual amount of taxes due on such real estate or personal property in certain cases, without paying the entire amount of taxes due by the person or corporation to whom such real estate or personal property is assessed; and to provide for the repeal of all laws or parts of laws in conflict herewith.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hildreth	Scruggs
Beasley	Delony	Hooton	Shepherd
Brown	Duncan	Lapsley	Teasley
Cooper	Faulk	Mullins	Warren
Cowart	Garrett	Powell	Wikle
Craft	Goodwin	Riddle	

—23

The bill:

H. 137. To amend Section 779 of the Code of Alabama of 1923.

Was taken up.

The Standing Committee on Judiciary reported the following amendment to said bill to-wit:

Amend Section 1. of H. 137 by Stokes by striking therefrom the words "Twenty-seven hundred dollars" and inserting in lieu thereof the words "Twenty-eight hundred and eighty dollars", and by striking therefrom the words "Fifteen Hundred Dollars" and inserting in lieu thereof the words "Fifteen Hundred and thirty dollars."

Further amend H. 137 by Stokes by inserting the following as Section 1½:

"That no provision of S. 25 by Bonner or H. 449 by Harrison shall apply to the salaries herein mentioned."

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Bonner	Cooper	Darden
Beasley	Brown	Craft	Duncan

Farmer
Faulk
Garrett
Goodwin

Hooton
Lapsley
McDaniel
Mullins

Powell
Riddle
Scruggs
Shepherd

Teasley
Walker
Warren
Wikle

—24

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Cooper
Coward

Craft
Darden
Duncan
Farmer
Faulk
Garrett

Goodwin
Hooton
Lapsley
McDaniel
Mullins
Powell

Riddle
Scruggs
Shepherd
Warren
Wikle

—23

The bill:

H. 689. To amend an Act to further regulate, provide for and require bonds of County officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds when the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds. Approved October 22, 1932.

Was taken up.

The Standing Committee on Judiciary reported the following substitute for said bill to-wit:

Substitute H. 689 so as to read as follows:

A BILL

To be entitled an Act to amend an Act, to further regulate, provide for and require bonds of County officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds when the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds. Approved October 22, 1932.

Be it enacted by the Legislature of Alabama:

SECTION 1. That An Act to further regulate, provide for and require bonds of county officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds when the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds. Approved October 22, 1932, be and the same is hereby amended so as to read as follows:

"SECTION 1. That all County officials, as set forth in this Act, of all Counties in this State shall be required to execute of-

official bonds payable to the State of Alabama for the faithful performance of their duties, and such additional official bonds as from time to time the public interests may demand and as required by the provisions of law.

SECTION 2. That members of the Commissioners Court, Board of Revenue or like County governing body of each county shall be required to give a bond in the sum of at least \$3,000.00, to be fixed and approved by the Judge of the Circuit Court of the Circuit of which such County forms a part, and where there are two or more Circuit Judges in said Circuit then said bond is to be fixed and approved by the Senior Judge of the Circuit Court of such Circuit.

SECTION 3. The Commissioners Courts, Boards of Revenue or other like governing bodies of the respective Counties are hereby empowered to fix and approve the official bonds of all other County officers and employees in such an amount or amounts as may in their judgment be necessary for the safety and security of public funds or other funds and as the public interest may demand subject to such limitations as are specifically provided herein and made applicable to each particular County official.

SECTION 4. The official bond of the Probate Judge shall in no case be less than \$10,000.00.

SECTION 5. The official bond of the Circuit Clerk shall in no case be less than \$5,000.00.

SECTION 6. The official bond of the Clerk of the County Court shall in no case be less than \$5,000.00.

SECTION 7. The official bond of the Clerk of the Circuit Court in Equity shall in no case be less than \$5,000.00.

SECTION 8. The official bond of the Tax Assessor shall in no case be less than \$5,000.00.

SECTION 9. The official bond of the Tax Collector shall in no case be less than largest amount of the collected taxes had on hand by the Tax Collector at any time during the preceding year, such amount to be determined and estimated by the semi-monthly reports of collections of all taxes collected for the State, County, Schools and/or other purposes.

SECTION 10. The official bond of the Sheriff shall in no case be less than \$5,000.00.

SECTION 11. The bond of the County Treasurer elected under the general law of the State shall in no case be less than the amount of the revenue had on hand by the County Treasurer at any one time during the preceding year, such amount to be determined and estimated by the semi-monthly reports of the County Treasurer of all revenues of the County that he had on hand at any one time during the previous fiscal year.

SECTION 12. The official bond of the Coroner shall in no case be less than \$1,000.00.

SECTION 13. The official bond of the County Superintendent of Education shall in no case be less than \$3,000.00.

SECTION 14. The official bond of the County Treasurer of school funds shall not be less than the largest amount of revenue had on hand by the County Treasurer of school funds at any time during the preceding year, such amount to be determined and estimated by the regular reports of amounts paid to said County Treasurer of school funds for school purposes, and the premium on said bond shall be paid out of the public school funds of the County, if made in a surety company.

PROVIDED, however, that in counties having a population of 250,000 or more, according to the latest Federal census, the Commissioner's Courts, Boards of Revenue or other like governing body of the respective counties are hereby empowered to fix the amount of and approve the official bond of the County Treasurer of school funds.

SECTION 15. The official bonds of Justices of the Peace, Notaries Public and ex-officio Justices of the Peace, Notaries Public, Constables and County Surveyors shall be, as to each officer, in the sum of \$1,000.00, the premium on said bonds to be paid by the person making such bond and without expense to such County.

SECTION 16. The official bond of each Jury Commissioner and each Registrar of Voters shall be in the sum of \$500.00.

SECTION 17. The bonds of all other County officers in Counties where such officers are created by special or local act or acts of the Legislature, or by general acts having application to particular Counties coming within the provisions of such acts, and where the amount of official bonds to be given is provided for in said act or acts shall be of the amount so provided in said act or acts, and where not so specifically provided shall be in such an amount as in the judgment of the Commissioners Court of each of such Counties is sufficient to secure and safeguard any and all public moneys of whatsoever nature coming into the hands of such officers by virtue of said offices.

SECTION 18. That when in the judgment of the Commissioners Court, Board of Revenue or like County governing body of any County any bond provided for in this Act is insufficient to protect the public interests or fully to safeguard public funds, an additional bond shall be required of such officer in such an additional amount and with such additional sureties as may be deemed good and sufficient, and such Court, Board, or like County governing body is empowered with full authority to require from time to time sworn statements from any and all County officials and employees charged with the duty of collecting, receiving or disbursing public funds, setting forth the status of all such funds coming into their hands and settlement.

SECTION 19. That where the official bond of any County officer of any County, duly qualified and commissioned prior to the

passage and approval of this Act, has been fixed and approved, and such bond is in the judgment of the Commissioners Court, Board of Revenue or like County governing body in such an amount and secured by such surety or sureties as fully to protect the public interest and safeguard public moneys, such bond shall be and remain and continue in full force and effect, and such officer shall not be required to make any new bond except as in the event such bond should become insufficient and an additional bond be required as provided in this Act.

SECTION 20. That when in the judgment of the Commissioners Court, Board of Revenue or like governing body of any County in this State it is considered necessary and protective to the public interests that any County employee, or any clerk, deputy or employee in any County office should give a bond, such County Board or like County governing body shall require a bond to be executed in such an amount as in its discretion should be required.

SECTION 21. All official bonds of County Officers and other bonds provided in this Act may be made in a surety company or in surety companies qualified to do business in this State, or may be made with individual and/or personal sureties and/or banks or other corporations qualified to do business in this State, and authorized under their charters to make security or official bonds or to become surety on such bonds.

SECTION 22. That the premiums on official bonds made in surety companies except as otherwise herein provided shall be paid from the general fund of the County Treasury on claims duly presented to, audited and allowed by the Commissioners Court, Boards of Revenue or like County governing body, and on County warrants as other claims are paid and in the class of preference as now provided by law.

SECTION 23. That the bonds of all County officers and County employees as referred to in this Act, with the exception of the bond of the Judge of Probate, shall be filed and recorded in the office of the Judge of Probate, and the bond of the Judge of Probate shall be filed and recorded in the office of the Clerk of the Circuit Court, and certified copies of the bonds of the Probate Judge and Tax Assessor and Tax Collector shall be filed with the State Comptroller.

SECTION 24. That the bonds herein required to be made shall be conditioned as now provided by law, and shall in all respects be subject to and governed by the provisions of law governing, regulating, concerning and pertaining to official bonds except as may be in conflict with provisions of this Act.

SECTION 25. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SECTION 26. If any Section or part of Section of this Act be

declared unconstitutional such Constitutionality shall not affect the remaining Sections or parts of sections of this Act.

SECTION 27. This Act shall take effect upon its approval by the Governor."

Mr. Teasley offered the following amendment to said substitute:

Amend the pending Substitute for H. 689 by striking from Section 14 thereof the figures "250,000" wherever the same appear in said Section and substituting therefor the figures "75,000".

Which was adopted.

And said substitute, as thus amended, was adopted.

Yeas, 20; nays, 1.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Cooper
Coward

Craft
Darden
Delony
Duncan
Faulk

Garrett
Hooton
Lapsley
Mullins
Powell

Riddle
Scruggs
Teasley
Warren
Wikle

—20

Nay: Mr. Farmer

— 1

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 21; nays, 1.

Yeas:

Messrs.:

Bartlett
Beasley
Brown
Cooper
Coward
Craft

Darden
Delony
Duncan
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Lapsley
Mullins

Powell
Riddle
Scruggs
Warren
Wikle

—21

Nay: Mr. Farmer

— 1

The bill:

H. 663. To amend section 1, of "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the president of the State Board of Administration of Alabama and the chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama; "Approved August 31, 1927, to extend the authority, powers and duties of the Alabama

Bridge Corporation, to authorize and provide for the repayment of the principal and interest of same, and to authorize said corporation to engage in and use its funds for the construction and maintenance of highways; and to amend the corporate certificate or charter of the Alabama Bridge Corporation to conform to the provisions of this Act.

Was taken up.

Mr. Craft offered the following amendment to said bill to-wit:

Amend H. 663 by inserting between the words "or other negotiable paper" and the words "mortgage,, pledge" where the same first occur in line 13 of sub-division 3 of Sub-Section 4 of Section 1, of said bill, the following, viz; "sell and hypothecate the same".

Amend Sub-section (14) of Section 1 of H. 663 to read as follows viz:

(14) For the purpose of repairing the principal and interest of said bonds, notes and securities issued pursuant hereto the Governor is hereby authorized and empowered to pledge, if he shall deem it advisable or expedient or advantageous to the State, an amount up to or if necessary, equal to (1c) one cent per gallon of the surplus aforesaid of all taxes on gasoline collected by the State of Alabama under the provisions of any Law heretofore or hereafter enacted by the Legislature of Alabama; and the corporation with the approval of the Governor may make a stipulation, to the above effect, in said bonds, notes, or securities, or in the contract for the sale thereof. Provided that if and when such stipulations is made as aforesaid, the State Tax Commissioner shall pay into the Treasury of the State of Alabama, as and when collected the amount so pledged in said stipulation as security for payment of the interest and the sinking fund on said bonds, notes, or securities as aforesaid and the same shall be kept in separate Trust fund and paid out, only in accordance with the terms and obligation stipulated insaid bonds, notes and securities or in the contract for the purchase of the same as aforesaid".

Amend Sub-section 4 of H. 663 by inserting between the words "negotiable paper" and the word "mortgage" where they first occur in line 16 of said sub-section, the following:—"sell and hypothecate the same".

Amend H. 663 by inserting between the word "instrument" and the words "and maintenance" where the same first occur in line 21 of sub-section (13) of Section 1 thereof the following: "Or such new bonds, notes and securities issued after the 1st of November, 1932 (other than for refunding the bonds issued prior thereto) shall be used for the construction."

Amend H. 663 by adding at the end of said bill, the following:

"If any clause, section or sub-section of this Act should be declared unconstitutional or invalid by any Court of competent jurisdiction the same shall not affect any other part of this Act, but the same shall remain of full force and effect.

This Act shall go into effect immediately upon its passage and approval by the Governor.

Amend Sub-section 13 of H. 663 by striking therefrom the word "Section," where the same appears in line 26 thereof immediately following the words "provided for in this" where the same appear in line 26 of said sub-section.

Amend sub-section 13 of H. 663, by inserting between the words "provided for in this" and the words "shall be used" where they first occur in line 26 of sub-section 13 of said Act the following "act, (other than those issued for refunding the bonds or notes outstanding at the time of the passage of this act".

Which was adopted.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hildreth	Mullins
Bonner	Duncan	Hubbard	Powell
Brown	Farmer	Kelley	Scruggs
Cooper	Fletcher	Lapsley	Shepherd
Cowart	Garrett	McDaniel	Warren
Craft	Goodwin	Millsap	Wikle

—24

Mr. Scruggs offered the following amendment to said bill to-wit:

Amend H. 663 by adding at the end of sub-section 13 of Section 1 thereof the following, viz:

"Provided further that the surplus of any money so borrowed, over and above that necessary to match the said Federal Aid Fund shall be used first to build and pave the approaches to said bridges, second to construct and pave other public roads in the State, leading from any point in the state to said bridges."

Which was adopted.

Yeas, 25; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hooton	Powell
Beasley	Duncan	Hubbard	Scruggs
Bonner	Farmer	Kelley	Shepherd
Brown	Garrett	McDaniel	Walker
Cooper	Goodwin	Millsap	Warren
Cowart	Hildreth	Mullins	Wikle
Craft			

—25

Mr. Scruggs also offered the following amendment to said bill to-wit:

Amendment to H. 663:

Amend the title of H. 663 by adding thereto the following words: "and to provide for the leasing of said bridges by the Highway Department of the State of Alabama from said Alabama State Bridge Corporation".

Further amend said H. 663 as follows: add the words "rentals or proceeds herein provided for from the Highway Department" immediately following the words "tolls collected" wherever they appear together therein.

Further amend said bill as follows: add to the end of the bill The following words and figures "(16) That at or after the time said bonds are refunded the Alabama State Bridge Corporation may if agreeable with the purchaser of the refunding bonds, execute to the Highway Department of the State of Alabama a lease which shall be accepted by the said Highway Department, leasing said bridges and other property now owned by the said Alabama State Bridge Corporation at an annual rental of an amount equal to the interest and principal due annually on said refunding bonds to be paid by the Highway Department to the Alabama State Bridge Corporation for such a length of time as is sufficient or necessary to pay off and discharge such renewed bonds and after said lease is executed no more tolls shall thereafter be collected from the public or any member of the public, but such bridges shall be thereafter used in connection with and as a part of the public highway system of the State of Alabama. There is hereby appropriated from such funds now or hereafter belonging to the Highway Department not heretofore appropriated such a sum of money annually as is necessary to pay for said rentals on said lease executed by said Alabama State Bridge Corporation."

Which was adopted.

Yeas, 21; nays, 8.

Yeas:

Messrs.:

Bartlett	Garrett	Kelley	Powell
Beasley	Goodwin	Lapsley	Riddle
Brown	Hildreth	McDaniel	Scruggs
Craft	Hooton	Millsap	Teasley
Darden	Hubbard	Mullins	Wikle
Duncan			

—21

Nays:

Messrs.:

Bonner	Edmundson	Faulk	Shepherd
Delony	Farmer	Fletcher	Walker

— 8

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 25; nays, 2.

Yeas:

Messrs.:

Bartlett	Cowart	Farmer	Kelley
Beasley	Craft	Garrett	Lapsley
Bonner	Darden	Goodwin	McDaniel
Brown	Duncan	Hildreth	Millsap
Cooper	Edmundson	Hubbard	Mullins

Powell
Scruggs

Shepherd

Warren

Wikle

—25

Nays: Messrs. Faulk and Hooton

— 2

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 236. To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, The Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," Approved August 25th, 1927.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. McDaniel, the Senate concurred in the following amendment by the House to S. 236, the title of which is set out in the foregoing Message from the House to-wit:

Amendment to S. 236:

Amend Section 16 by striking out the words "on the same basis as for the last quadrennium" where they occur in line 31 and 32.

Also by striking out the figures "\$1.00" where they occur in Section 20 in line 3 and inserting in lieu thereof the figures "\$12,500.00".

Yeas, 28; nays, 1.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Brown

Cooper

Coward

Craft

Darden

Duncan

Edmundson

Farmer

Faulk

Fletcher

Goodwin

Hildreth

Hubbard

Kelley

Lapsley

McDaniel

Millsap

Mullins

Powell

Riddle

Scruggs

Shepherd

Tasley

Walker

Wikle

—28

Nay: Mr. Garrett

— 1

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill:

H. 313. To grant the right and privilege to any regularly and duly licensed broadcasting station or company operating within the State of Alabama to broadcast by radio all athletic contests or games staged by or sponsored by or participated in, within the State of Alabama, by any educational institution located within the State of Alabama and which derives or receives any financial aid, support or contribution from the State of Alabama or any political subdivision or agency thereof; and to make it unlawful for any executive officer, board of trustees, or any person acting on behalf of any such educational institution to refuse or prohibit such right or privilege to any such broadcasting company or station.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 541. To amend Section Three of an Act entitled an Act in reference to and to further provide for the general revenues of the State of Alabama, approved August 22, 1923.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 313. To grant the right and privilege to any regularly and duly licensed broadcasting station or company operating within the State of Alabama to broadcast by radio all athletic contests or games staged by or sponsored by or participated in, within the State of Alabama, by any educational institution located within the State of Alabama and which derives or receives any financial aid, support or contribution from the State of Alabama or any political subdivision or agency thereof; and to make it unlawful for any executive officer, board of trustees, or any person acting on behalf of any such educational institution to refuse or prohibit such right or privilege to any such broadcasting company or station.

Also:

H. 173. To amend Section Three of an Act entitled An Act in reference to and to further provide for the general revenue of the State of Alabama, approved August 22, 1923.

Also:

H. 532. To fix the salary of the Judge of Probate of Calhoun County and to provide for clerical assistance and other expenses of said office to fix the salary of Tax Collector of Calhoun County,

and to provide for clerical assistance and other expenses of said office; to fix the salary of the Tax Assessor of Calhoun County, and to provide for clerical assistance and other expenses of said office; to require each of said officers to collect all the fees, compensations, and allowances, heretofore collected by said officers, and which may hereafter be collected by said officers, and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary, clerical assistance, and other office expense by the Treasurer of the County.

Also:

H. 541. To amend Section Three of an Act entitled an Act in reference to and to further provide for the general revenues of the State of Alabama, approved August 22, 1923.

Also:

H. 609. To prohibit the use of steel traps and similar devices in Etowah County, Alabama and prescribe punishment for the violation of this Act.

Also:

H. 622. To require all warrants, claims, drafts or certificates for salaries, expenses or other claims of State and County officers and other persons which said warrants, claims, drafts or certificates are now or may hereafter be payable, in whole or in part, upon warrants, claims, drafts or certificates drawn upon the County Treasurer, County Treasury, or County Depository of Marengo County, Alabama, by such officers or persons, to be itemized, verified and presented to the Board of Revenue of said County, for audit, allowance and payment; to take away from such officers and other persons the authority to draw such warrants, claims, drafts or certificates; and to provide that all warrants, claims, drafts or certificates drawn on or against County funds hereafter shall be authorized and drawn only by the Board of Revenue of Marengo County, Alabama.

Also:

H. 652. To amend section (4) of an Act entitled an Act to amend Sections (4) and (6) of an Act entitled an Act "To prescribe the qualifications and terms of the judge of the County Court of Walker County, Alabama, and to provide for his appointment and election, and fixing his salary and prescribing his powers, duty and authority, approved July 17, 1931."

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Sen-

ate, signed the foregoing bills; the titles of which are set out in the foregoing. Message from the House.

BILLS ON THIRD READING RESUMED

The bill:

H. 671. To enable the court of county commissioners, Board of Revenue, or other governing body in any county of Alabama to make other or further provision for the care of the poor and needy.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for said bill to-wit:

Committee substitute H. 671:

A BILL

To be entitled an Act to enable the Court of County Commissioners, Board of Revenue, or other governing body in any County of Alabama, to make other or further provision for the care of the poor and needy.

Be it enacted by the Legislature of Alabama:

SECTION 1.—That the Court of County Commissioners, the County Board of Revenue, or other governing body in any County shall have the power and authority, with the approval of the State Child Welfare Department, to make other or further provision for the care of the poor and needy of each or either of the Counties. The disbursement of any funds to be made through such agencies and in such manner as may be approved by the State Child Welfare Department.

SECTION 2.—This Act shall take effect immediately upon its approval by the Governor.

Which was adopted.

Yeas, 29; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Mullins
Beasley	Duncan	Hooton	Powell
Bonner	Edmundson	Hubbard	Shepherd
Brown	Farmer	Kelley	Teasley
Cooper	Faulk	Lapsley	Walker
Cowart	Garrett	McDaniel	Warren
Craft	Goodwin	Millsap	Wikle
Darden			

—29

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 30; nays, 0.

Yeas:

Messrs.:

Bartlett	Brown	Craft	Duncan
Beasley	Cooper	Darden	Edmundson
Bonner	Cowart	Delony	Farmer

Faulk
Garrett
Goodwin
Hildreth
Hooton

Hubbard
Kelley
Lapsley
McDaniel
Millsap

Mullins
Powell
Scruggs
Shepherd

Teasley
Walker
Warren
Wikle

—30

The bill:

H. 167. To make it legal and binding for any person, who is an office holder in or of the State of Alabama, or any county or municipality thereof, or any person holding any civil office of profit under this State, or any county or municipality thereof, whose compensation, salary or fees is fixed by law for his service, and which compensation salary or fees cannot, or shall not be increased or diminished during the term for which he shall have been elected or appointed under the provisions of Sections 118, 150 or 281 of the Constitution of Alabama, to voluntarily diminish his compensation, salary or fees fixed by law; and to provide the manner and way in which such diminished compensation, salary or fees can be made legal and binding.

Was read a third time at length and passed.

Yeas, 31; nays, 0.

Yeas:

Messrs:

Bartlett
Beasley
Bonner
Brown
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Kelley
Lapsley
McDaniel
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Wikle

—31

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hildreth, the Senate nonconcurrent in the following amendment by the House to S. 235, the title of which is set out in the foregoing Message from the House to-wit:

Substitute for S. 235:

A BILL

To be entitled an Act to make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

Be it enacted by the Legislature of Alabama:

Section 1. That there is hereby appropriated for the ordinary expenses of the Executive, Legislative and Judicial Departments of the State, for the interest on the public debt, and for the public schools, for the fiscal years ending September 30, 1933, 1934 and 1935, to be paid out of any moneys in the Treasury not otherwise appropriated, the several sums of money hereinafter specified or so much thereof as may be necessary.

Section 2. **Executive Office.** (1) For the compensation of the Governor \$7,500.00 for every year. (2) For compensation of the Private Secretary of the Governor \$2,880.00 for every year. (3) For compensation of the Recording Secretary, \$1,920.00 for every year. (4) For compensation of a clerk \$1,600.00 for every year. (5) For compensation of a Stenographer \$1,275.00 for every year. (6) For compensation of a messenger, \$900.00 for every year.

Section 3. **Secretary of State.** (1) For the compensation of Secretary of State \$4,000.00 for every year. (2) For compensation of the Chief Clerk, \$2,880.00 for every year. (3) For compensation of two Stenographers \$1,200.00 each for every year; and (4) An Assistant Chief Clerk, \$1,530.00 for every year.

Section 4. **State Comptroller.** (1) For the compensation of the State Comptroller, \$6,000.00 for every year. (2) For compensation of Chief Clerk, \$2,880.00 for every year. (3) For the compensation of the Warrant Clerk, \$2,200.00 for every year. (4) For the compensation of the General Bookkeeper \$1,920.00 for every year. (5) For the compensation of an Assistant Bookkeeper \$1,200.00 for every year. (6) For the compensation of the File Clerk \$1,275.00 for every year. (7) For the compensation of the Stenographer \$1,200.00 for every year, and an additional sum of \$95,000.00 for each year, for salaries and expenses of examiners, and for all other expenses, to be paid on the approval of the Governor.

Section 5. **State Treasurer.** (1) For compensation of the Treasurer, \$4,000.00 for every year. (2) For compensation of the Chief Clerk, \$2,880.00 for every year. (3) For compensation of two assistant clerks, \$1,600.00 each for every year. (4) For compensation of the Pension Clerk, \$1,200.00 for every year. (5) For compensation of one Bond Clerk, \$1,920.00 for every year. (6) For compensation of Stenographer, \$1,200.00 for every year.

Section 6. **Attorney General.** (1) For compensation of the Attorney General, \$6,000.00 for every year. (2) For other personal services and expenses, \$34,000.00.

Section 7. Archives and History. (1) For compensation of the Director of the Department of Archives and History, \$1,000.00 for every year. (2) For compensation of the Curator, \$2,400.00 for every year. (3) Compensation of the Chief Clerk, \$1,920.00 for every year. (4) Compensation of the Librarian, \$1,600.00 for every year. (5) Compensation of the Stenographer and Statistician (one person) \$1,275.00 for every year. (6) Compensation of Bookkeeper and Copyist, (one person) \$1,200.00 for every year. (7) Compensation of File Clerk, \$1,200.00 for every year. (8) For Filing Equipment \$1,000.00 for every year. (9) For Traveling Expenses \$500.00 for every year. (10) For Stationery and Office Supplies \$652.00 for every year. (11) For Books and Periodicals \$1,200.00 for every year. (12) For Binding Books and Papers \$191.06 for every year. (13) For Printing Blanks and Bulletins, \$1.00 for every year. (14) For Manual Labor \$1.00 for every year. (15) For Postage, \$400.00 for every year. (16) For Miscellaneous requirements of the Department \$250.00 for every year.

Section 8. State Tax Commission. (1) For compensation of the State Tax Commissioner \$6,000.00 per annum for the first year and \$6,000.00 per annum for each and every year thereafter until September 30, 1936. (2) For compensation of the Secretary \$1,920.00 for every year. (3) For compensation of the necessary clerks and assistants, for traveling expenses, and all other necessary expenses of the Department \$110,000.00 for every year.

Section 9. Banking Department. (1) For the compensation of the Superintendent of Banks \$6,000.00 for every year. (2) For the compensation of Deputy Superintendent of Banks \$4,200.00 for every year. (3) For the compensation of Office Assistant \$2,400.00 for every year. (4) For the compensation of Four Bank Examiners \$2,400.00 each for every year. (5) for the compensation of two Stenographers \$1,530.00 each for every year. (6) For the payment of the traveling expenses of the Members of the Department \$7,500.00 for every year.

Section 10. Military Department. Salaries, organization allowances and other Departmental Expenses. (1) For the compensation of the Adjutant General thirty-six hundred dollars (\$3,600.00) for every year. (2) For the compensation of the United States Property and Disbursing Officer thirty-three hundred dollars (\$3,300.00) for every year; provided that the annual or monthly salary paid the United States Property and Disbursing Officer by the United States Government shall be deducted from this thirty-three hundred dollars (\$3,300.00) on fixing the annual or monthly State pay of this employee. (3) For the compensation of the State Property and Disbursing Officer twenty-four hundred dollars (\$2,400.00) for every year. (4) For the compensation of an assistant Disbursing Officer twenty-three hundred and eighty dollars (\$2,380.00) for every year. (5) For the compensation of an Assistant Property Officer twenty-three hundred and eighty dollars (\$2,380.00) for

every year. (6) For the compensation of one employee performing the duties of Disbursing and Property Clerk fifteen hundred dollars (\$1,500.00) for every year. (7) For the compensation of one employee performing the duties of Personnel Clerk six hundred dollars (\$600.00) for every year. (8) For the compensation of three Clerks and Stenographers, for duty in the Military Department of the State twelve hundred dollars (\$1,200.00) each for every year. (9) For organization allowances and other departmental expenses. Forty-five thousand, two hundred forty dollars (\$45,240.00) for every year.

Special Appropriations for the Militia in the Active Emergency Military Service of the State. In addition to the military appropriation for salaries, organization allowances and other departmental expenses provided for in this Section, there is appropriated out of monies not otherwise appropriated such sum as may be necessary for pay, subsistence, shelter, travel, medical service and other necessary expenses of the Military and Naval Forces of the State when called into the active service of the State for the purpose of enforcing the law, preservation of the peace, for the security of lives and the protection of property of citizens and aid and relief of our citizens in case of disaster. The disbursement of all funds appropriated for and disbursed by the Military Department shall be with the approval of the Governor and under such rules and regulations as he or and existing laws may prescribe."

Section 10 A. Armory Building Commission. For the purposes of carrying out the provisions of an Act entitled "The Armory Commission and Building Act approved July 31, 1931, an appropriation of one dollar (\$1.00) per year for the Fiscal Years 1933, 1934 and 1935.

Section 11. Mine Inspectors. (1) For compensation of the Chief Inspector of Mines \$3,000.00 for every year. (2) For the compensation of the Assistant or District Mine Inspector \$2,400.00, each, for every year. (3) For the compensation of the Chief Clerk in the Mine Inspector's office \$1,920.00 for every year. (4) For compensation of the stenographer in the Mine Inspector's office, \$1,200.00 for every year. (5) For rental of offices not to exceed \$1,200.00 for each year, stamps, stationery, office supplies, equipment and other operating expenses not to exceed \$1,500.00 each year. (6) Actual Traveling expenses of the Chief and Associate Mine Inspectors in the discharge of their duties under the law not to exceed \$4.00 per day, per inspector, while actually engaged in inspecting mines and discharging said duties and not to exceed an aggregate of \$5,000.00 each year. Provided the total appropriation and payments made pursuant to this Section shall not exceed \$30,000.00 per year."

Section 12. Prison Inspector. (1) State Prison Inspector \$2,880.00 for each and every year. (2) For personal services and other expenses \$6,400.00 for each and every year.

Section 13. State Auditor: (1) For compensation of the State Auditor \$4,000.00 for every year. (2) For compensation of the Chief Clerk, \$2,880.00 for every year. (3) For compensation of two clerks, \$1,920.00 each for every year. (4) For compensation of a stenographer \$1,200.00 for every year.

Section 14. Convict Department. (1) For the compensation of the Director of State Board of Administration \$7,500.00 for every year. (2) There is hereby appropriated to the State Board of Administration for the administration, operation and maintenance of the Convict Department, all receipts from its administration and operation of the convicts; and in addition thereto, there is hereby appropriated to the said Board of Administration for such purposes such additional sum as shall be needed for the proper administration, operation and maintenance of the Convict Department not to exceed the sum of \$500,000.00 in any one fiscal year. Such sum appropriated in addition to the said receipts shall be payable for the fiscal years commencing October 1, 1932 and October 1, 1933 out of the proceeds of that certain 1c gasoline tax levied and collected under the Act of the Legislature of Alabama approved the 27th day of July, 1931, reported in the General Acts of 1931, pages 859 to 864, and thereafter, shall be paid out of the General Fund. Provided, however, that if the appropriation herein made in addition to the receipts of the said Department shall for any cause not be available to the said Board of Administration out of the said Gasoline Tax Fund, then the said appropriation shall be payable out of the General Fund.

Section 15. Special Appropriations. (1) For the Governor's Contingent Fund \$25,000.00 for every year. (2) For Governor's Mansion Repair Fund \$2,000.00 for every year, and for light, heat, service, and other expenses incident thereto the sum of \$1.00 each and every month, payable on requisition of the Governor. (3) For fuel, lights, and water, \$12,500.00 for every year. (4) Postage and post-office box rent \$10,000.00 for every year. (5) For stationery and office supplies \$12,500.00 for every year. (6) For repairing and refurnishing the Capitol \$10,000.00 for every year. (8) For public printing \$40,000.00 for every year. (9) For telephone and telegraph \$5,000.00 for every year. (10) For publishing Governor's proclamation a lump sum of \$40,000.00 for the quadrennium, to be available when needed. (11) For insurance on the Capitol and Capitol buildings \$6,000.00 for every year. (12) For premiums on official bonds \$2,000.00 for every year. (13) For interest on constitutional loans \$18,000.00 for every year. (14) For the Governor's interest Contingent Fund \$300,000.00 for every year. (15) For distributing public documents \$1,000.00 for every year. (16) For repairs and improvements to residence property owned and rented by the State \$1,500.00 for every year. (17) For feeding prisoners \$185,000.00 for every year. (18) For the arrest of absconding felons \$1,500.00 for every year. (19) For the removal of prisoners \$7,-

500.00 for every year. (20) For the per diem mileage of the Presidential Electors \$800.00 for the quadrennium, to be available when needed. (21) For interest on bonded debt of the State \$339,720.00 for every year. (22) For the reunion of Confederate Veterans \$1,-000.00 for every year. (23) For the White House of the Confederacy \$2,500.00 for every year. (24) For the Confederate Museum at Richmond, Virginia, \$250.00 for every year.

Section 16. **Miscellaneous.** (1) For the compensation of the Capitol Watchmen \$6,300.00 for every year. (2) For the compensation of the Capitol Electrician \$1,530.00 for every year.

Section 17. **Insurance Department:** (1) For compensation of Superintendent of Insurance \$4,000.00 for every year. (2) For other salaries and expenses of the Department \$24,000.00.

Section 18. **Supreme Court.** (1) For the compensation of the Chief Justice of the Supreme Court \$7,500.00 for every year. (2) For the compensation of the six Justices of the Supreme Court \$7,-500.00 each for every year. (3) For the compensation of the Clerk of the Supreme Court \$4,000.00 for every year. (4) For the compensation of the Assistant Clerk of the Supreme Court \$1,920.00 for every year. (5) For the compensation of the Stenographer and File Clerk \$1,275.00 for every year. (6) For the compensation of the Reporter \$2,880.00 for every year. (7) For the compensation of a Stenographer \$1,020.00 for every year. (8) For the compensation of the Secretary to the Chief Justice \$1,275.00 for every year. (9) For the compensation of two Secretaries to the Court \$1,920.00 each for every year. (10) For the compensation of the Librarian \$2,-400.00 for every year. (11) For the compensation of Assistant Librarian \$1,275.00 for every year. (12) For the compensation of a servant \$600.00 for every year.

Section 19. **Court of Appeals.** (1) For the compensation of the Presiding Judge of the Court of Appeals \$6,600.00 for every year. (2) For the compensation of the two Associate Judges of the Court of Appeals \$6,600.00 each for every year. (3) For the compensation of the Clerk of the Court of Appeals \$3,000.00 for every year. (4) For the compensation of the Assistant Clerk \$1,487.50 for every year. (5) For the compensation of the Secretary \$1,600.00 for every year.

Section 20. **Judicial Circuit.** (1) For the compensation of forty-one judges of the Circuit Court \$5,000.00 for each, for every year, and not more than \$250.00 per year for expenses, as provided by law. (2) For the compensation of the Twenty-Three Circuit Solicitors \$91,200.00 for every year. (3) For the traveling expenses of the Judges of the Circuit Courts and the Circuit Solicitors, \$3,000.00 for every year.

Section 21. **Public Schools and the Alabama Special Educational Trust Fund.** (1) Interest on 16th Section Lands \$138,248.39. (2) Interest on School Indemnity Lands \$18,433.44. (3) Interest on valueless 16th Section Lands \$5,825.47. (4) Interest on Surplus

Revenue \$26,763.47. (5) Interest on James Wallace Fund \$275.25. (6) Special Appropriation for public schools (Acts 1911) \$500,000.00. (7) All funds derived from the levy of the special annual tax of thirty cents on each one hundred dollars of taxable property in this State for the support and maintenance of the public schools, and from other funds mentioned and enumerated in Sections 257, 258, 259 and 260 of the Constitution of 1901 are hereby appropriated for the support and maintenance of the public schools, to be apportioned in accordance with the provisions of the Constitution. (8) To the Alabama Special Educational Trust Fund, created and set apart for educational purposes by Section 2 of the General Revenue Bill of 1927, the sum of \$1,500,000.00 for the year beginning October 1st, 1932, and the sum of \$2,000,000.00 for each of the years beginning October 1st, 1933 and 1934, which sums shall be expended under and in accordance with the terms and provisions of "An Act in relation to the Educational System of Alabama, etc." approved August 25, 1927 (General Acts of 1927, pages 442-445) and any amendments thereof or thereto heretofore or hereafter made and adopted.

That not more than four per cent of the monies appropriated in and by subdivisions six and seven of this section shall be used or expended otherwise than for the payment of teachers employed and directly engaged in teaching the students of the schools and colleges to which said funds are appropriated.

Section 22. State Health Department. (1) For salary of State Health Officer, \$6,000.00 for every year. (2) For other personal services \$193,500.00 for every year. (3) For other expenses, including County Health Work \$200,500.00.

Section 23. State Service Commission. (1) For salary of Service Commissioner \$2,880.00 for every year. (2) For salary of Assistant Service Commissioner \$2,400.00 for every year. (3) For salary of each of two State Service Field Commissioners \$1,800.00 for every year. (4) For salary of Secretary of State Service Commissioner \$1,200.00 for every year. (5) For salary of a filing Clerk for State Service Commission \$960.00 for every year. (6) For all expenses other than salaries \$4340.00.

Section 24. Alabama Public Service Commission. (1) For salary of the President of the Commission \$6,000.00 for every year. (2) For salaries of the Associate Commissioners \$5,500.00 each for every year. (3) For other salaries and expenses \$40,000.00 for every year. (4) In addition to the above, there is hereby set apart for the expenses of regulation to be performed by the Commission all inspection and supervision fees paid by public utilities and transportation companies and such parts or percentages of the fees and taxes paid by motor carriers or motor transportation companies as are now or may be set aside by law to be used by the Commission to pay the expenses of regulation of such motor carrier or motor transportation companies.

Section 24½. State Securities Commission. For salaries (not including salaries of Commissioners) and expenses of State Securities Commission, all fees or monies paid or payable by every person as defined in the Alabama Securities Act for any and all purposes as required by said Act, which said fees are hereby set apart and shall be available and applied to payment of such salaries and expenses.

Section 25. Office of State Geologist. (1) For salary of State Geologist \$4,000.00 for every year. (2) For other salaries and expenses, including the salaries and expenses connected with the geological survey \$21,000.00 for every year." provided that the appropriations made in this Section are in addition to the appropriation to the State Geologist by the Act entitled "An Act to authorize and investigation of the water resources of the State of Alabama, to authorize the State Geologist to enter into contracts with the United States Government or department thereof, or person, firm or corporation for cooperation action in collecting and publishing such information and to make an appropriation therefor," approved August 1, 1931, and said Act is not repealed by this Act.

Section 26. Alabama Industrial Development Board. (1) For salaries and other expenses \$15,000.00 for every year.

Section 27. Child Welfare Department. (1) For salary of Director \$4,000.00 for every year. (2) For other salaries and expenses \$81,000.00 for every year.

Section 28. Alabama Pension Commission. (1) For salaries and expenses \$4200.00 for every year.

Section 30. State Fire Marshall. (1) For salary of State Fire Marshall \$2,880.00 for every year. (2) For other salaries and expenses \$22,500.00 for every year. And be it further provided that any amount above that sum remaining after these expenses of the Fire Marshall Department have been paid shall be certified into the general fund of the State on or before the thirty-first day of March of the year succeeding the current fiscal year.

Section 31. Educational System of Alabama. (1) For salary of Superintendent of Education \$6,000.00 for every year. (2) For all other salaries and all other expenses, not exceeding \$52,500.00 for every year.

Section 32. Eleemosynary and Correctional Institutions. (1) For the support, maintenance and repairs of the Alabama Insane Hospital, an amount not to exceed \$4.00 per week nor be less than \$3.00 per week for each patient, the total of which shall not exceed \$707,540.00" "(2) For the support, maintenance and repairs of the Partlow State School for mental deficient, a sum not to exceed \$4.00 per week nor to be less than \$3.00 per week for each inmate, the total of which shall not exceed \$118,677.00; and the appropriations herein made to said Alabama Insane Hospital and Partlow State School for mental deficient shall be payable and are to be disbursed as provided in Sections 1423 to 1485, inclusive, as amend-

ed, of the Code of Alabama of 1923 and the Act entitled "An Act" to provide for the maintenance of the Alabama Home for mental inferiors approved February 3, 1923, and shall continue, and the unexpended balances thereof shall not revert to or to be recovered into the General Treasury of the State of Alabama at the end of any fiscal year. (3) For the support, maintenance and repairs of the Alabama Boys Industrial School, a sum not to exceed \$4.68 and not less than \$3.75 a week for every one of all the inmates of said school, the total of which shall not exceed \$101,822.00". (4) For the support, maintenance and repairs of the State Training School for Girls, a sum not to exceed \$4.68 and not less than \$3.75 a week for every one of all the inmates of said school, the total of which shall not exceed \$35,000.00." (5) For the support, maintenance and repairs of the Alabama Reform School for Juvenile Law-Breakers, a sum not to exceed \$2.00 a week for everyone of all the students lawfully attending and being instructed in school, the total of which shall not exceed \$38,426.00.

Section 32½. The Alabama School for the Deaf and Blind. There is hereby appropriated out of the general fund of the State of Alabama for the maintenance, support, insurance and upkeep of the Alabama Institute for the Deaf and Blind, an educational institution which is a division of the Public Schools of Alabama, the sum of two hundred ninety-six dollars (\$296.00) per pupil, such appropriation to be based on the number of pupils enrolled on the first day of January of each year, and to be drawn quarterly in advance by the Treasurer of the Board of the Alabama Institute for Deaf and Blind and to be disbursed as directed by said Board. Any balance from this appropriation at the end of each year shall remain in the hands of the Treasurer of said institution and shall not revert to the State."

Section 33. Legislative Department. (1) For Legislative expenses \$250,000.00.

Section 33½. There is hereby further appropriated the additional sum of \$334,811.81, or so much thereof as may be necessary, to pay the salaries and traveling expenses for the month of August and September, 1932, of the various State officials, their clerks and employees, and for which warrants upon the State Treasurer have been drawn. "And also the sum of \$11,637.94 upon warrants held by the Child Welfare Department."

Section 34. State Highway Department. (1) For salary of Director, \$6,000.00 for every year. (2) For interest and sinking funds on outstanding highway bonds so much of the gasoline taxes and motor vehicle licenses collected, as may be necessary to pay the same. (3) For maintenance and construction of roads and bridges, and other expenses of the highway department, the rest and residue of gasoline taxes, motor vehicle licenses, and all other revenues coming in or accruing to the Highway Department, by virtue of Federal Aid, Statutes of Alabama, or otherwise.

Section 35. Department of Agriculture and Industries. For salary of Commissioner of Agriculture and Industries and for personal services and other expenses operating the Department of Agriculture and Industries, the Agricultural Fund in accordance with the provisions of the Agricultural Code of Alabama. Provided, however, that said Department shall only expend the monies in such fund as provided in said Agricultural Code of 1927.

Section 36. Pensions. There is hereby appropriated such an amount as may be necessary to pay all the pensions allowed to Confederate soldiers and sailors and their widows as now provided by law, payable out of the proceeds from the levy of the one mill tax for needy Confederate soldiers, and sailors the balance if any necessary for the payment thereof to be paid out of any monies in the State Treasury not otherwise appropriated.

Section 37. Miscellaneous Appropriations. (1) Expenses for advertising lands for taxes, \$20,000.00 for every year. (2) Grove Hill Endowment Fund, \$600.00 for every year. (3) Interest on Spanish American War Relief Fund \$150.00 for every year. (4) Salary and expenses of Board of Registrars, \$30,000.00. (5) State Serum Plant, \$2,400.00. (6) Topographical Survey, \$1.00 for every year. (7) Interest Fund for Alabama College, \$34,963.32 for every year. (8) Interest fund for University of Alabama \$61,000.00 for every year. (9) Interest on Endowment Fund for Alabama Polytechnic Institute \$20,280.00 for every year. (10) For interest and Sinking Fund of Harbor Improvement Bond of the State, \$225,000.00 for every year. (11) For the Governor's Emergency Fund, out of which the Governor may at his discretion pay any part of all of the expenses or appropriation now authorized by law, payment of which is not herein otherwise provided for, \$100,000.00 for every year. (12) For the Confederate Soldiers Home \$7,500.00 for every year. (13) For the Pasteur Treatment, \$30,000.00 for every year. (14) World War Orphans Scholarship Fund \$1,800.00.

Section 38. Except as herein otherwise provided, the amounts herein specifically appropriated shall be in lieu of the amounts heretofore provided or appropriated by law for such purposes; and all laws general, special or private, inconsistent with the provisions of this Act are hereby expressly repealed, except private relief appropriations made at the 1931 regular session of the Legislature, and at the special session of the Legislature of 1932 all of which shall remain in force and effect.

Section 39. That except as may be otherwise provided in what is known as and called The Budget and Financial Control Act, nothing herein shall be construed to affect or repeal any law or provision of law under or by which any department is now operated wholly upon any receipts, licenses, fees or revenues, payable to or collected by or for the account of such department; nor shall anything in this Act be construed to affect or repeal any law authorizing or permitting any college, school or other institution of the

State from receiving and disbursing any fees, tuition, charges, sales, endowments, trusts or income therefrom, which is now or may hereafter be authorized to collect, receive or disburse.

Section 40. That all permanent appropriations, definite, indefinite, and contingent in amount, except as herein made and provided for, and except those provided in the Constitution and those provided in existing statutes in payment of interest on indebtedness arising out of the disposition of lands donated to State Institutions by the Federal Congress, heretofore made to any department, institution, bureau, board, commission or other State agency, are hereby repealed as of the end of the fiscal year ending September 30, 1932, in so far as and to the extent that such appropriations are payable out of, or are chargeable against the General Fund or Funds of the State.

Section 40½. That in addition to the sum hereinabove appropriated from the General Fund to the Special Educational Trust Fund created by the Act approved August 25, 1927 (General Acts 1927, pages 442 to 445) there is hereby appropriated to the said Special Education Trust Fund for maintenance purposes only any and all surplus remaining in the General Fund after all appropriations herein made are paid, not to exceed a sum necessary to pay any deficit in said Trust Fund.

Section 41. That the appropriations herein made except appropriations to eleemosynary institutions, or to the school for Deaf and Blind in Talladega, Alabama, are, and shall be subject to the terms, conditions, provisions and limitations of the Budget and Financial Control Act.

Section 42. That if any section, clause, provision, or portion of this Act or all or any portion of any appropriations herein made is held to be unconstitutional or invalid, it shall not affect any other section, clause, provision or portion of this Act, or any other appropriation or portion thereof hereby made, not in and of itself unconstitutional or invalid.

Section 43. That all laws, and parts of laws, general, special or private, in conflict with the terms and provisions of this Act, be and the same are, hereby repealed.

Amendment to S. 235:

Strike out Article 4 of Section thirty two (32) and insert the following:

There is hereby appropriated out of the general fund of the State of Alabama for the maintenance, support, insurance and upkeep of the State Training School for Girls, the sum of Thirty-five Thousand (\$35,000.00) Dollars annually, to be drawn quarterly in advance by the Treasurer of the Board of the State Training School for Girls and to be disbursed as directed by said Board. Any balance from this appropriation at the end of each year shall remain in the hands of the Treasurer of said institution and shall not revert to the State.

To amend substitute for S. 235 as follows in Section 10, subsection (9) as follows:

By striking out the words and figures "Forty-five Thousand, two hundred forty dollars (\$45,240.00)" and substituting therefor the following "fifty thousand, seven hundred forty dollars (\$50,740.00)."

Amend Section 32 subsection 1 of substitute for S. 235 by striking out the words and figures "the total amount of which shall not exceed \$707,540.00" where the same appear therein together.

Amend Section 32 subsection 2 of substitute for S. 235 by striking out the words and figures "the total amount of which shall not exceed \$118,677.00" where the same appear therein together.

And request a Committee of Conference.

Yeas, 23; nays, 5.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Scruggs
Bonner	Edmundson	Hubbard	Shepherd
Brown	Farmer	Kelley	Teasley
Cooper	Faulk	Lapsley	Wikle
Craft	Garrett	Millsap	

—23

Nays:

Messrs.:

Darden	Goodwin	McDowell	Riddle
Fletcher			

— 5

And the President of the Senate, appointed as conferees on part of the Senate, Messrs. McDaniel, Hildreth and Fletcher.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 275. To fix the compensation or salary of the Register of the Circuit Court of Jefferson County, Alabama, and to regulate the payment of the same.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill:

S. 25. Relating to the salary or compensation of officers or employees of the State, or of any department thereof whose compensation is paid out of State Treasury.

By a vote of yeas, 50; nays, 28.

And said bill, as thus amended by the amendment proposed by His Excellency, the Governor, was again read a third time, at length, and passed, Yeas, 67; nays, 2.

And said bill together with the Governor's Message containing the proposed amendment are returned herewith to the Senate.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 14. To require the Court of County Commissioners, or like governing body of St. Clair County, to appropriate annually out of the general fund of the County a sum not less than three thousand (\$3,000.00) dollars; such sum to be preferred claim and payable to the budget of the St. Clair County Health Department for the establishment, maintenance and operation of a health department in the county.

Also:

S. 261. To amend Section 21 of an Act entitled an Act "To Provide for the establishment of a base of operations and training for the air service of the Alabama National Guard, including the provision of land for such base and the improvement of such land with buildings, structures and otherwise, and including also the equipping of such buildings and structures; to create a Commission for the accomplishment of the aforesated purpose; to define and prescribe the duties, powers, privileges, immunities and responsibilities of such Commission; and to make an appropriation for the effectuation of the purposes of this Act, approved, July 2, 1931.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 55. To amend Section 9612 of the 1923 Code of Alabama.

Also:

S. 187. To prohibit the diversion, misappropriation, misapplication or misuse of any trust funds of the State and to provide penalties for a violation of said Act.

Also:

S. 199. To amend Section 10593 of the Code of Alabama of 1923.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendments to the following House bills:

H. 137. To amend Section 779 of the Code of Alabama of 1923.

Also:

H. 663. To amend section 1, of "an act to provide for and authorize an incorporation by the Alabama Highway Director, the president of the State Board of Administration of Alabama and the chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama"; Approved August 31, 1927, to extend the authority, powers and duties of the Alabama Bridge Corporation, to authorize and provide for the repayment of the principal and interest of same, and to authorize said corporation to engage in and use its funds for the construction and maintenance of highways; and to amend the corporate certificate or charter of the Alabama Bridge Corporation to conform to the provisions of this Act; and to provide for the leasing of said bridges by the Highway Department of the State of Alabama from said Alabama State Bridge Corporation.

Also:

H. 689. To amend an Act to further regulate, provide for and require bonds of County officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds when the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds. Approved October 22, 1932.

H. 671. To enable the Court of County Commissioners, Board of Revenue, or other governing body in any County of Alabama to make other or further provision for the care of the poor and needy.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

And the Speaker named as a Committee of Conference on the part of the House: Messrs. Miller, Harrison and Davis of Pickens.

J. H. Stewart,
Clerk.

BILLS ON THIRD READING RESUMED

The bill:

H. 670. To impose an excise tax in addition to any and all other excise taxes now imposed by law on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, refining, storing, or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax; and for the examination of the books and records of any persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, refining, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid providing a penalty for any false statements made in making reports to the State Tax Commission; providing for the distribution of the funds derived therefrom, and the use to which such funds may be put; and providing for the enforcement of this Act and fixing a penalty for violation of any of the provisions hereof.

Was taken up.

Mr. Garrett offered the following amendment to said bill to-motor fuels or devices or substitutes therefor in this State; pro-wit:

Amend H. 670 by adding Section 15½ in the following words and figures to-wit:

"Section 15½. That such an amount of money realized from the tax herein levied as is equal in amount to the interest and principal due annually on any refunding bonds of the Alabama State Bridge Corporation, be and the same is hereby set aside for the purpose of making payment on such interest and principal on such refunding bonds as the same falls due or becomes payable, which shall be paid to the Alabama State Bridge Corporation annually as a rental or lease of said bridges and other property now owned by the Alabama Bridge Corporation, and which shall be used by the said Bridge Corporation solely for the purpose of paying the interest and principal on said bonds and said Alabama Bridge Corporation is hereby authorized to execute to the Highway Department of the State of Alabama a lease of such property and the Highway Department of the State of Alabama is hereby directed to accept said lease, and when said lease has been executed no more tolls shall be collected from said bridges, but the same shall be used as

a part of and in connection with the Public Highway system of the State of Alabama."

On motion of Mr. Powell, said amendment was laid upon the table.

Yeas, 22; nays, 6.

Yeas:

Messrs.:

Bonner	Farmer	Lapsley	Riddle	
Brown	Faulk	McDaniel	Scruggs	
Cooper	Fletcher	Millsap	Shepherd	
Cowart	Goodwin	Mullins	Walker	
Craft	Hooton	Powell	Wikle	
Duncan	Hubbard			—22

Nays:

Messrs.:

Bartlett	Darden	Hildreth	Kelley	
Beasley	Garrett			— 6

And said bill, was read a third time at length and passed.

Yeas, 20; nays, 8.

Yeas:

Messrs.:

Bartlett	Craft	Hooton	Mullins	
Beasley	Darden	Hubbard	Powell	
Brown	Fletcher	Lapsley	Riddle	
Cooper	Garrett	McDaniel	Scruggs	
Cowart	Goodwin	Millsap	Wikle	—20

Nays:

Messrs.:

Duncan	Faulk	Shepherd	Walker	
Edmundson	Kelley	Teasley	Warren	— 8

PAIR ANNOUNCED

Mr. Bonner announced that he and Mr. Caffey were paired on this vote; that Mr. Caffey, if present, would vote aye and he, Mr. Bonner, would vote nay.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference appointed on the disagreement of the two Houses on the Senate amendment to the bill:

H. 644. To further regulate the bailiffs in the circuit courts in all the counties in the State of Alabama, having a population of two hundred thousand (200,000) or more according to the last or any subsequent Federal census; to fix a minimum number of bailiffs for all of such courts, to provide for the appointment of the bailiffs in such courts, and to provide a method of fixing the num-

ber and compensation of such bailiffs and to provide for the payment of such compensation.

Said report of said Committee of Conference being in words and figures as follows, to-wit:

Montgomery, Alabama, Nov. 3, 1932.

To the President of the Senate and
Speaker of the House of Representatives of
the Legislature of Alabama.

We, your Committee on conference appointed on the disagreement of the two houses on the Senate amendment to House Bill No. 644, after consideration thereof, beg leave to report as follows:

First. The Committee recommends that the Senate recede from its amendment to said bill and adopt in lieu thereof, the following as a substitute for House Bill No. 644:

A bill to be entitled An Act to further regulate the bailiffs in the Circuit Court in all counties in the State of Alabama having a population of two hundred (200,000) thousand or more, according to the last or any subsequent Federal Census; to provide for the appointment of bailiffs in such court, and to provide for and fix the compensation of such bailiffs.

Be it enacted by the Legislature of Alabama:

Section 1. That in all counties of the State of Alabama having a population of two hundred thousand (200,000) or more, according to the last or any subsequent Federal Census, each circuit judge in the civil division of the circuit court may appoint not exceeding two bailiffs to serve in his division of such court. Said bailiffs shall each be paid (\$150.00) one hundred and fifty dollars per month out of the county treasury of such counties.

Section 2. Each circuit judge in the criminal division in such counties, and each circuit judge charged with the primary or preferential duty of trying quasi-criminal cases, shall appoint not exceeding three bailiffs to serve in his division of such court. The judges referred to in this section may together appoint an additional bailiff to be known as the jury bailiff. Said bailiffs shall be paid one hundred and fifty dollars (\$150.00) per month, each, out of the county treasury.

Section 3. Each circuit judge holding court in said counties at a place other than at the county site, shall appoint not exceeding two bailiffs to serve in his division of the court, who shall be paid one hundred and fifty dollars (\$150.00) each, per month out of the county treasury.

Section 4. The judges referred to in Section 1 of this Act, may together appoint a jury bailiff to be known as the jury bailiff of the civil division of said court, who shall be paid (\$150.00) one hundred and fifty dollars, per month out of the county treasury.

Section 5. This Act shall become effective on December 1, 1932, and all laws and parts of laws in conflict herewith are hereby repealed.

Second. Your Committee on conference further recommends that the House of Representatives concur in the Substitute above set out to House Bill 644 and adopt the same.

Respectfully submitted,

LEE EDMUNDSON,

HENRY McDANIEL,

S. S. FLETCHER,

Committee on the part of the Senate.

W. COOPER GREEN,

LEWEY ROBINSON,

C. R. WEST,

Committee on the part of the House.

And sends same herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Edmundson the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to H. 644, the title of which, and said Conference Report, being set out in the foregoing Message from the House.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference appointed on the disagreement of the two Houses on the Senate amendment to the bill:

H. 647. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, Two hundred thousand (200,000) population or more according to the last or any subsequent Federal census, and to provide for the payment of such supplemental salaries.

Said report of said Committee of Conference being in the following words and figures:

Montgomery, Alabama, Nov. 3, 1932.

To the President of the Senate and
Speaker of the House of Representatives of the
Legislature of Alabama.

We, your Committee on conference appointed to consider the disagreement of the two houses on the Senate amendment to House Bill No. 647, after consideration of said bill, beg leave to report as follows:

First. The Committee recommends that the House concur in and adopt the Senate amendment to said House Bill 647.

Respectfully submitted,

LEE EDMUNDSON,
HENRY McDANIEL,
S. S. FLETCHER,

Committee on the part of the Senate.

W. COOPER GREEN,
LEWEY ROBINSON,
C. R. WEST,

Committee on the part of the House.

And sends same herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Edmundson, the Senate concurred in and adopted the foregoing report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to H. 647, the title of which, and said Conference Report, is set out in the foregoing Message from the House.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference appointed on the disagreement of the two Houses on the Senate amendment to the bill:

H. 509. To fix the compensation or salary of the Deputy Clerk of the Branch of the Circuit Court of the Tenth Judicial Circuit of Alabama, sitting at Bessemer, in Jefferson County, Alabama, and to regulate the payment of the same.

Said report of the Committee of Conference being in words and figures as follows, to-wit:

Montgomery, Alabama, Nov. 3, 1932.

To the President of the Senate and
Speaker of the House of Representatives of the
Legislature of Alabama.

We, your Committee on conference appointed on the disagreement of the two houses on the Senate amendment to House Bill No. 509, beg leave to report as follows:

First. We recommend that the Senate recede from its amendment to said bill.

Respectfully submitted,
LEE EDMUNDSON,
HENRY McDANIEL,
S. S. FLETCHER,
Committee on the part of the Senate.
W. COOPER GREEN,
LEWEY ROBINSON,
C. R. WEST,
Committee on the part of the House.

And sends same herewith to the Senate for its consideration.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Edmundson, the Senate concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to H. 509, the title of which, and said Conference Report, is set out in the foregoing Message from the House.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature is requested:

H. 137. To amend Section 779 of the Code of Alabama of 1923.

Also:

H. 167. To make it legal and binding for any person, who is an office holder in or of the State of Alabama, or any county or municipality thereof, or any person holding any civil office of profit under this State, or any county or municipality thereof, whose compensation, salary or fees is fixed by law for his service, and which compensation salary or fees cannot, or shall not be increased or diminished during the term for which he shall have been elected or appointed under the provisions of Sections 118, 150 or 281 of the Constitution of Alabama, to voluntarily diminish his compensation, salary or fees fixed by law; and to provide the manner and way in which such diminished compensation, salary or fees can be made legal and binding.

Also:

H. 259. To provide that purchasers, lien holders or mortgagees of real estate or personal property may discharge tax liens against such real estate or personal property purchased or on which a lien or mortgage is held by paying the actual amount of taxes due on such real estate or personal property in certain cases, without paying the entire amount of taxes due by the person or corporation to

whom such real estate or personal property is assessed: and to provide for the repeal of all laws or parts of laws in conflict herewith.

Also:

H. 328. Pertaining to the apportionment of the Equalization Fund provided by the Legislature for the equalization of educational opportunities in the public schools of the State.

Also:

H. 671. To enable the court of county commissioners, Board of Revenue, or other governing body in any county of Alabama to make other or further provision for the care of the poor and needy.

Also:

H. 689. To amend an Act to further regulate, provide for and require bonds of County officials and employees, and clerks, deputies and employees in County offices; to prescribe the amount or amounts of such bonds; to provide for the payment of premiums on said bonds when the same are made in surety companies; to provide for the fixing, filing and approving and recording of said bonds. Approved October 22, 1932.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 272. In relation to the Educational System of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness incurred for capital outlays for institutions under the general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute, The University of Alabama and the Alabama College, and to repeal Section 58 of the School Code of Alabama of 1927.

S. 236. To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public

education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, The Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," Approved August 25th, 1927.

S. 275. To fix the compensation or salary of the Register of the Circuit Court of Jefferson County, Alabama and to regulate the payment of the same.

S. 261. To amend Section 21 of an Act entitled an Act "To Provide for the establishment of a base of operations and training for the air service of the Alabama National Guard, including the provision of land for such base and the improvement of such land with buildings, structures and otherwise, and including also the equipping of such buildings and structures; to create a Commission for the accomplishment of the aforestated purpose; to define and prescribe the duties, powers, privileges, immunities and responsibilities of such Commission; and to make an appropriation for the effectuation of the purposes of this Act, approved, July 2, 1931.

S. 14. To require the Court of County Commissioners, or like governing body of St. Clair County, to appropriate annually out of the general fund of the County a sum not less than three thousand (\$3,000.00) dollars; such sum to be preferred claim and payable to the budget of the St. Clair County Health Department for the establishment, maintenance and operation of a health department in the county.

T. A. Goodwin,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Report of Committee on Enrolled Bills.

REPORT OF CONFERENCE COMMITTEE

To the President of the Senate:

To the Speaker of the House:

We, the Conference Committee appointed by the presiding officer of the Senate and by the Speaker of the House of Representatives on the disagreement of the two Houses on the House amendments to S. B. 235, beg leave to report as follows:

We recommend that the Senate concur in all amendments adopted by the House except the amendment to Section 14 and that the House recede from its amendment to Section 14 and that the House amend Section 14, subdivision 2, so as to read as follows: (2). "There is hereby appro-

appropriated to the State Board of Administration for the administration, operation and maintenance of the Convict Department, all receipts from its administration, and operation of the convicts; and in addition thereto, there is hereby appropriated to the said Board of Administration for such purposes such additional sum as shall be needed for the proper administration, operation and maintenance of the Convict Department not to exceed the sum of Five Hundred Thousand (\$500,000.00) Dollars in any one fiscal year. Such sums appropriated in addition to the said receipts shall be payable out of the general fund." And that the Senate concur in this amendment.

And that the Senate pass the bill as thus amended, and further that the House concur in all amendments, and that the House pass the bill as thus amended.

Respectfully submitted,

E. F. HILDRETH,
HENRY McDANIEL,
S. S. FLETCHER,

Conferees on the part of the Senate.

GEO. O. MILLER,
W. C. HARRISON,
G. E. DAVIS,

Conferees on the part of the House.

CONFERENCE REPORT

On motion of Mr. Hildreth, the Senate concurred in and adopted the foregoing Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

Yeas, 28; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Garrett	Mullins
Beasley	Delony	Goodwin	Powell
Bonner	Duncan	Hildreth	Riddle
Brown	Edmundson	Hooton	Shepherd
Cooper	Farmer	Kelley	Walker
Cowart	Faulk	McDaniel	Warren
Craft	Fletcher	Millsap	Wikle

—28

And said bill, as thus amended, by the report of the Conference Committee, was again read a third time at length and passed.

Yeas, 28; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Garrett	Mullins
Beasley	Delony	Goodwin	Powell
Bonner	Duncan	Hildreth	Riddle
Brown	Edmundson	Hooton	Shepherd
Cooper	Farmer	Kelley	Walker
Cowart	Faulk	McDaniel	Warren
Craft	Fletcher	Millsap	Wikle

—28

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following Joint Resolution and sends same herewith to the Senate:

By Mr. Tunstall:

H. J. R. 168. Resolved by the House of Representatives, the Senate concurring, that the Secretary of the Senate, Assistant Secretary, Second Assistant Secretary, Chief Clerk and Reading Clerk of the Senate together with ten assistants, to be named by the Secretary of the Senate; the Clerk of the House, Assistant Clerk, Reading Clerk, together with ten assistants, to be named by the Clerk of the House, be allowed six weeks within which to check, compare and deliver the Journals of the Senate and House of Representatives of this session of the Legislature to the Secretary of State and State Printer.

Resolved further that all of the employees named above shall receive the same per diem and be paid in the same manner as they are now paid.

Be it further resolved that in addition to the duties now imposed by law upon the Secretary of the Senate and Clerk of the House of Representatives after adjournment of the Legislature, they are hereby required, when so requested by any member of the Legislature, to furnish any data or procure any information that may be available at the State Capitol, but they shall receive no per diem compensation for such services while engaged in their duties as provided for in Section 9-A of S. 87.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Powell the Senate concurred in and adopted H. J. R. 168, set out in the foregoing Message from the House.

BILLS ON THIRD READING RESUMED

The bill:

H. 256. To provide for the relief of Mrs. Pauline Fralish, the widow of Ewell Fralish, deceased, and for the dependent minor child of the said Ewell Fralish, deceased.

Was read a third time at length and passed.

Yeas, 25; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Cooper
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher

Goodwin
Hooton
Hubbard
Lapsley
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Warren
Wikle

The bill:

H. 625. To pay the City of Marion for paving around the Perry County High School.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Cooper

Cowart

Craft

Darden

Delony

Duncan

Farmer

Goodwin

Hooton

Millsap

Mullins

Powell

Scruggs

Shepherd

Walker

Warren

Wikle

—20

The bill:

H. 263. To provide for the relief of Mrs. Ida V. Davis, the widow of T. J. Davis, deceased, and for the dependent minor children of the said T. J. Davis, deceased.

Was read a third time at length and passed.

Yeas, 27; nays, 0.

Yeas:

Messrs.:

Bartlett

Bonner

Brown

Cooper

Cowart

Craft

Darden

Delony

Duncan

Edmundson

Farmer

Faulk

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Lapsley

Millsap

Mullins

Powell

Riddle

Scruggs

Teasley

Walker

Wikle

—27

The bill:

H. 696. To amend an Act approved April 5, 1911, entitled "An Act to authorize the Board known as The Mobile School Commissioners to become indebted in anticipation of income, for maintenance and operation of schools of Mobile County"; so as, by such Amendment, to enable the said Board of School Commissioners of Mobile County to pledge the current revenues of the year to secure such indebtedness incurred in anticipation of income.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett

Beasley

Bonner

Brown

Cooper

Cowart

Craft

Darden

Delony

Duncan

Edmundson

Farmer

Faulk

Fletcher

Garrett

Goodwin

Hildreth

Hooton

Hubbard

Kelley

Lapsley

McDaniel

McDowell

Millsap

Mullins

Powell

Riddle

Scruggs

Shepherd

Teasley

Walker

Warren

Wikle

—33

The bill:

H. 299. To amend Section 139 of an Act: "To adopt the Code of Laws for the State of Alabama prepared in accordance with the provisions of the Acts approved February 18th, 1927, (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioner of Agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama", approved August 24, 1927.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hooton	Mullins
Beasley	Duncan	Hubbard	Powell
Cooper	Edmundson	Lapsley	Scruggs
Cowart	Farmer	Millsap	Teasley
Craft	Goodwin		

—18

The bill:

H. 337. For the protection of people who have assembled together to receive instruction, for amusement, recreation or any other lawful purpose from certain wrongful acts.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Hubbard	Teasley
Beasley	Darden	Mullins	Walker
Brown	Duncan	Powell	Warren
Cooper	Farmer	Scruggs	Wikle
Cowart	Hooton		

—18

The bill:

H. 394. To amend Schedule 107 of Section 361 of an Act "To provide for the general Revenue of the State of Alabama", Approved September 15, 1919.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hooton	Scruggs
Beasley	Edmundson	Hubbard	Teasley
Bonner	Farmer	McDaniel	Walker
Cooper	Fletcher	Mullins	Warren
Cowart	Goodwin	Powell	Wikle
Craft			

—21

The bill:

H. 699. To provide that where two or more municipalities have consolidated or merged within one year prior to the passage

of this Act, or may hereafter consolidate or merge, that in all cases where State and County licenses are levied upon a population classification, for a period of two years after the passage of this Act, the licenses levied shall be computed and based upon the population of the municipality according to the last Federal Census in which the place where such business or occupation is carried on was located prior to such consolidation or merger.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Hooton	Powell
Beasley	Edmundson	Hubbard	Riddle
Bonner	Farmer	Kelley	Scruggs
Brown	Faulk	Lapsley	Shepherd
Cooper	Fletcher	McDaniel	Teasley
Cowart	Garrett	McDowell	Walker
Craft	Goodwin	Millsap	Warren
Darden	Hildreth	Mullins	Wikle
Delony			

—33

The bill:

H. 659. To amend Section 3320 of the Code of Alabama of 1923.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Hooton	Scruggs
Beasley	Duncan	Hubbard	Teasley
Brown	Edmundson	Millsap	Walker
Cooper	Farmer	Mullins	Warren
Cowart	Goodwin	Powell	Wikle
Craft			

—21

The bill:

H. 148. To amend an Act entitled "An Act to further regulate and provide for the erection, repair and equipment of rural school houses in the several counties of the State of Alabama; and to provide for the payment of debts incurred by county boards of education in the erection, repair and equipment of rural school houses out of the rural school house fund as now authorized by law," approved July 8, 1931.

Was read a third time at length and passed.

Yeas, 22; nays, 0.

Yeas:

Messrs.:

Bartlett	Craft	Fletcher	Powell
Beasley	Darden	Goodwin	Scruggs
Bonner	Delony	Hooton	Shepherd
Brown	Duncan	Hubbard	Warren
Cooper	Edmundson	Mullins	Wikle
Cowart	Farmer		

—22

Mr. President:

The House has passed the following Senate bill and returns same herewith to the Senate:

S. 117. To amend Section 5 of An Act entitled An Act "For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishments and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provisions made for the maintenance of sub-agricultural experiment stations, one upon each of the five main large soil types of the State as represented in the Tennessee Valley, the Sand Mountain Section, the Black Belt, the Wiregrass and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county Board of Revenue or County Commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations, approved September 10, 1927."

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill and returns same herewith to the Senate:

S. 103. To amend Section 56, of an act entitled an act, to provide for and regulate and control Primary Elections for the nomination by Political Parties, of Candidates for Public Office within the State of Alabama, No. 56, and approved February 25, 1931.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Hooton, the Senate concurred in and adopted the following amendment by the House to S. 103, the title of which is set out in the foregoing Message from the House to-wit:
Committee substitute for Senate Bill No. 103:

A BILL

To be Entitled An Act to amend an act entitled an act to amend Section 56 of an Act (no. 56) enacted by the Legislature of Alabama, approved February 25, 1931, to provide for and regulate and control Primary Elections for the nomination by Political Parties of candidates for public office within the State of Alabama, as found on page 755 of the Acts of the Legislature of Alabama of 1931.

Be it enacted by the Legislature of Alabama: That the Act entitled an act to amend Section 56 of an Act (no. 56) enacted by the Legislature of Alabama approved February 25, 1931, to provide for and regulate and control Primary Elections for the nomination by Political Parties of candidates for public office within the State of Aalabama, as found on page 755 of the Acts of the Legislature of Alabama of 1931, be and the same is hereby amended so as to read as follows:

Section 56. That from the time the first primary is held until the polls close on the day of the second primary, as herein provided, no candidate and no committee of any candidates authorized by Section 588 of the Code of Alabama, 1923, shall expend any money or anything of value for any purpose tending in any way, directly or indirectly, to promote or aid in securing his nomination and election, except in defraying his own personal traveling expenses, his own personal hotel, telephone, telegraph and restaurant bills, and the costs of giving publicity to, his candidacy in newspapers, over radio or by correspondence, and/or by the use of the ordinary canvassing card, which shall contain only the following data, to-wit: The name and address of the candidate; the name and description of the office for which he is a candidate; and the date of the election; and the action of what political party it is subject to; and shall be marked at the bottom of said card, "Paid Political Advertisement" by the candidate, giving his or her name and address; and may contain not more than twenty words of any other matter, tending to advertise such candidacy, not otherwise forbidden by law; and the violation of any of the provisions of said Act shall be a corrupt practice and a misdemeanor. This provision shall not increase the limits of expenditures now or hereafter provided by law.

This Act shall take effect immediately upon its passage and approval by the Governor.

Yeas, 20; nays, 0.

*Yeas:**Messrs.:*

Bartlett	Craft	Farmer	Mullins
Beasley	Darden	Goodwin	Riddle
Bonner	Delony	Hooton	Walker
Brown	Duncan	Hubbard	Warren
Cooper	Edmundson	Millsap	Wikle

—20

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills and returns same herewith to the Senate:

S. 159. To authorize the State Auditor, with the approval of the Governor, to consolidate warrants heretofore or hereafter issued by him as provided by law and to issue in lieu thereof one warrant for the aggregate amount of warrants surrendered and cancelled as herein provided; to provide for the surrender and cancellation of said warrants; to require the auditor to keep a transfer register showing the number, amount and payee of warrants surrendered and cancelled and the number, amount and payee of warrants issued in lieu thereof; to provide that all warrants issued shall be countersigned by the Governor and attested by the Secretary of State under the seal of the State.

Also:

S. 219. To provide one chief deputy sheriff of Coosa County, Alabama; to fix his salary, payable out of the general funds in equal monthly payments on warrants to be drawn by the Probate Judge on the general funds of the county which shall constitute a preferred claim against the general funds of the county; to require the chief deputy sheriff to reside at Rockford and to be under the direct supervision of the Sheriff of the Coosa County, Ala., and to require the Chief deputy sheriff to execute a bond payable to and approved by the Sheriff of the County for the faithful performance of his duties as chief deputy sheriff of Coosa County, Ala.

Also:

S. 190. To amend Section 22 of an Act, "Relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses, trailers used on the public highway of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama," said Act being No. 290, General Acts of Alabama, approved September 13, 1923.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown, and as amended, has passed the following Senate Bill, and returns same herewith to the Senate:

S. 126. To authorize the State Dock Commission to contract for workmen's compensation insurance for the benefit of its employes, and to pay therefor as a part of the expense of operating the State docks.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lapsley, the Senate concurred in the following amendment by the House to S. 126, the title of which is set out in the foregoing Message from the House, to-wit:

A BILL

To be entitled An Act to authorize the State Docks Commission to provide insurance for the compensation or benefit of persons injured or killed in the operation of said docks, or make settlement of claims arising from such injuries or deaths, and to pay the expense of such insurance or settlement as a part of the operating expenses of said docks.

Be it enacted by the Legislature of Alabama:

Section 1. That the State Docks Commission is hereby authorized to provide insurance for the compensation or benefit of persons injured or killed in the operation of said Docks, or make settlement of claims arising from such injuries or deaths, and to pay the expenses of such insurance or settlement as a part of the operating expenses of said docks.

Section 2. That the basis of any settlement for any such injuries or deaths shall not exceed the amounts specified or provided for like injuries or deaths under the terms and provisions of the Workmen's Compensation Act of Alabama.

Section 3. That nothing herein shall be construed to authorize or permit the institution of any suit or right of action against the State Docks Commission for or on account of any such injuries or deaths; provided, however, contracts of insurance herein authorized may provide for the right of action against the insurer for the enforcement of the collection of any compensation or benefit therein provided to be paid for any such injury or death.

Section 4. That if any section, clause or provision of this act is held invalid it shall not affect the remaining sections, clauses or provisions not in and of themselves invalid.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Goodwin	Powell
Beasley	Delony	Hooton	Scruggs
Brown	Duncan	Hubbard	Teasley
Cooper	Edmundson	Lapsley	Walker
Cowart	Farmer	Millsap	Warren
Craft	Garrett	Mullins	Wikle

—24

The bill:

H. 633: To authorize and empower the governing bodies of the several counties of the State having jurisdiction of the construction and/or maintenance and repair of public roads and bridges of the county, where the salary and/or other compensation and/or expenses of the members of such governing body, and/or of the clerk and/or attorney for such governing body is paid out of the general fund of the County, to pay one-half of such salaries and/or other compensation and/or expenses out of any money raised or appropriated for the construction and/or maintenance and repair of public roads and bridges of such county.

Was read a third time at length and lost.

Yeas, 11; nays, 16.

Yeas:

Messrs.:

Bartlett	Edmundson	Hooton	Mullins
Bonner	Farmer	Lapsley	Scruggs
Darden	Goodwin	Millsap	

—11

Nays:

Messrs.:

Beasley	Craft	Garrett	Riddle
Brown	Delony	Hubbard	Shepherd
Cooper	Duncan	McDaniel	Teasley
Cowart	Fletcher	Powell	Wikle

—16

The bill:

H. 341. To amend Section 363 of an Act entitled "An Act to provide for the general revenue of the State of Alabama," approved September 15th, 1919.

Was read a third time at length and passed.

Yeas, 24; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Goodwin	Powell
Beasley	Delony	Hooton	Riddle
Bonner	Duncan	Hubbard	Scruggs
Brown	Edmundson	McDaniel	Teasley
Cooper	Fletcher	Millsap	Warren
Craft	Garrett	Mullins	Wikle

—24

The bill:

H. 576. To provide for the relief of Byron Lindsey and to make appropriation therefor.

Was read a third time at length and passed.

Yeas, 23; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Goodwin	Powell
Beasley	Duncan	Hooton	Scruggs
Bonner	Edmundson	Hubbard	Teasley
Cooper	Farmer	Lapsley	Warren
Craft	Fletcher	McDaniel	Wikle
Darden	Garrett	Mullins	

—23

The bill:

H. 577. To provide for the relief of W. H. Pope and to make appropriation therefor.

Was read a third time at length and passed.

Yeas, 21; nays, 0.

Yeas:

Messrs.:

Bartlett	Darden	Garrett	Mullins
Beasley	Delony	Goodwin	Powell
Bonner	Duncan	Hooton	Scruggs
Brown	Edmundson	Hubbard	Walker
Cooper	Farmer	Lapsley	Wikle
Craft			

—21

The bill:

H. 578. To provide for the relief of Harriett Clark Pope, and to make appropriation therefor.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett	Duncan	Goodwin	Mullins
Beasley	Edmundson	Hooton	Powell
Bonner	Farmer	Hubbard	Scruggs
Craft	Fletcher	Lapsley	Warren
Darden	Garrett	Millsap	Wikle

—20

The bill:

H. 626. To provide for the relief of Pearce Templin and to make appropriation therefor.

Was read a third time at length and passed.

Yeas, 20; nays, 0.

Yeas:

Messrs.:

Bartlett	Cooper	Darden	Farmer
Beasley	Cowart	Duncan	Garrett
Brown	Craft	Edmundson	Goodwin

Hooton
Lapsley

Millsap
Mullins

Powell
Scruggs

Warren
Wikle

—20

The bill:

H. 697. To fix the compensation of circuit solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed, of one county having not less than three and not more than nine circuit judges and to provide the manner of payment of said compensation of said Solicitors and to fix the priority thereof.

Was read a third time at length and passed.

Yeas, 33; nays, 0.

Yeas:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Cooper
Coward
Craft
Darden
Delony

Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin
Hildreth

Hooton
Hubbard
Kelley
Lapsley
McDaniel
McDowell
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—33

The bill:

H. 623. For the relief of Evie D'Olive and to appropriate for the said Evie D'Olive the sum of Three Thousand (\$3,000.00) Dollars by reason of the death of Walter S. D'Olive, caused as a result of the negligence of the State Docks Commission by leaving unprotected an electric steel or iron rail with which the said Walter S. D'Olive came in contact about to-wit the 20th day of June, 1928, causing his death, and at a place where he had a right to be; and authorizing, directing and requiring the said State Docks Commission to pay to her the sum of Three Thousand (\$3,000.00) Dollars as a moral obligation owed by the said State Docks Commission to Evie O'Olive for the death of her husband.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Bartlett
Brown
Craft
Darden
Duncan

Edmundson
Farmer
Goodwin
Hooton
Hubbard

Lapsley
Millsap
Mullins
Powell

Scruggs
Teasley
Walker
Warren

—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the report of the Committee of Conference on the disagreement of the two Houses on the

House amendments to S. 235. And the House has again passed the said bill:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

RECESS

At 6:35 P. M. on motion of Mr. Teasley, the Senate took a recess until 8:30 tonight.

NIGHT SESSION—THIRTIETH DAY

Friday, November 4th, 1932

The Senate re-assembled at 8:30 P. M., Lieutenant-Governor Merrill presiding.

ROLL CALL

Present:

Messrs.:

Bartlett
Beasley
Bonner
Brown
Cooper
Coward
Craft
Darden

Delony
Duncan
Edmundson
Farmer
Faulk
Fletcher
Garrett
Goodwin

Hildreth
Hooton
Hubbard
Kelley
Lapsley
McDaniel
Millsap
Mullins

Powell
Riddle
Scruggs
Shepherd
Teasley
Walker
Warren
Wikle

—32

RESOLUTIONS

Mr. Darden offered the following Joint Resolution:

S. J. R. 105. Whereas, the House has by resolution decided to consider no more Senate bills of which there are a large number, and

Whereas, there are a number of House bills on the Senate Calendar which are being duly considered.

Therefore, Be It Resolved by the Senate:

1st. That the Speaker is respectfully requested to call the House together, and the House is requested to give consideration of Senate bills pending on House calendar.

Which was read and referred to the Standing Committee on Rules.

REPORT FROM RULES COMMITTEE

Mr. Powell, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following resolution and ordered same returned to the Senate with a favorable report to-wit:

S. J. R. 105. Requesting the Speaker of the House to call the House together to give consideration to Senate bills pending on the House calendar.

And on motion of Mr. Powell said report was concurred in and the resolution adopted.

Mr. Teasley offered the following Senate resolution:

S. R. 106. Resolved by the Senate that the two servants are hereby allowed two days after adjournment of this session of the Legislature in which to put the Senate chamber in order.

And on motion of Mr. Teasley, the rules were suspended and the resolution adopted.

Mr. Teasley also offered the following Senate resolution:

S. R. 107. Resolved by the Senate, that each Senator be, and he is hereby, allowed to retain the set of Codes, Acts and Journals placed on his desk at the beginning of this Special Session of the Legislature.

And on motion of Mr. Teasley the rules were suspended and said resolution adopted.

Mr. Powell offered the following Senate resolution:

S. R. 108. BE IT RESOLVED BY THE SENATE, of Alabama, that we extend to Senator H. M. Caffey, Senator from the 16th Senatorial District of Alabama, our sincere regret that sickness prevented his being with us in this the closing day of the 1932 Special Session.

We have learned with great distress of his sudden and severe attack of illness and have received the information that he is now at St. Margaret's Hospital in the City of Montgomery.

During the many months that we have served with Senator Caffey in the Senate of Alabama we have learned not only to admire and respect him for his splendid traits of character but we have also learned to feel for him a lasting affection because of his thoughtfulness on so many occasions in providing beautiful flowers **from his home garden** for the Senators, clerks and all others in attendance on the Senate.

Every Senator feels for Senator Caffey a true and genuine friendship because his character and conduct among them and toward them has been of such a gentle and lovable nature as to in-dear him to all of us.

Be it, therefore, resolved that a copy of this resolution be forwarded to him by the Secretary of the Senate in order that he may know that each and all of us missed him during these closing

hours of this Session, and all of us wish for him a speedy and certain recover.

And on motion of Mr. Powell the rules were suspended and the resolution adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has discharged its Committee of Conference heretofore appointed on the disagreement of the two Houses on the House amendment to the bill:

S. 206. To establish an Inferior Court for all precincts lying within or partly within the City of Birmingham, Alabama, said court to be in lieu of all Justices of the Peace, Notaries Public with powers of Justices of the Peace and all other Inferior Courts created in lieu of Justices of the Peace in said territory prior to the effective date of this Act except such courts as have criminal jurisdiction only and as otherwise limited by the terms of this Act, to define the jurisdiction and powers of said courts and the officers thereof; to provide for the election of the officers of said court; to provide for the election and selection of the officers of said court; to fix their term of office; to fix the compensation of said officers and the method of paying the same; to provide the procedure in said court and to fix the method of service of all processes therefrom; to create and designate the officials to serve the processes issued from said court and to provide the compensation therefor, to designate the officers of said court and define their powers and duties; to provide for the establishment, maintenance, jurisdiction and powers of different branches of said court and branch offices thereof, to abolish in said city all Inferior Courts heretofore created in lieu of Justices of the Peace in and for all precincts lying within or partly within the City of Birmingham, except such courts as may have criminal jurisdiction only and as otherwise limited by the terms of this Act, and to provide for the transfer of such pending cases from such abolished courts to the courts hereby established.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Edmundson, the Senate discharged its Committee of Conference heretofore appointed upon the disagreement of the two Houses to S. 206, the title of which is set out in the foregoing Message from the House.

And on further motion of Mr. Edmundson, the Senate requested a new Committee of Conference on the disagreement of the two Houses on the House amendment to said bill, and the President

of the Senate appointed as conferees on part of the Senate, Messrs. Edmundson, Teasley and Fletcher.

BILLS ON THIRD READING

The bill:

H. 529. To permit State Banks having a capital of not less than Five Hundred Thousand Dollars, and located in municipalities having a population in excess of Fifty Thousand to establish, maintain and operate branch bank offices and facilities by and with the approval of the Superintendent of Banks.

Was taken up.

Mr. Duncan offered the following amendment to said bill to-wit:

Amend H. 529 by striking therefrom the words, "limits of the county", where they appear in line 6 of the second paragraph of said H. 529, and insert in lieu thereof the following words to-wit: "radius of a fifty mile limit".

On motion of Mr. Riddle, said bill and pending amendment were indefinitely postponed.

Yeas, 13; nays, 10.

Yeas:

Messrs.:

Cooper	Farmer	Lapsley	Powell	
Cowart	Garrett	McDaniel	Riddle	
Darden	Hooton	Millsap	Wikle	
Delony				—13

Nays:

Messrs.:

Beasley	Edmundson	Hubbard	Scruggs	
Craft	Fletcher	Mullins	Teasley	
Duncan	Goodwin			—10

The bill:

H. 643. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue or other governing body of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid," approved September 2, 1927.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs.:

Bartlett	Brown	Craft	Duncan
Beasley	Cooper	Darden	Edmundson
Bonner	Cowart	Delony	Farmer

Faulk	Hooton	Millsap	Shepherd
Fletcher	Hubbard	Mullins	Teasley
Garrett	Kelley	Powell	Walker
Goodwin	Lapsley	Riddle	Warren
Hildreth	McDaniel	Scruggs	Wikle

—32

The bill:

H. 684. To amend Sections 3, 6 and 7 of an Act entitled, "An Act to provide in all Counties in this State having a population of three hundred thousand, (300,000) inhabitants or more, according to the last or any subsequent Federal census for an action of ejectment to recover possession of real property, and regulate the proceedings in such action by a purchaser of real property at mortgage foreclosure sale, or by one claiming under such purchaser," approved June 29, 1931.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

The bill:

H. 692. For the relief of J. V. Walker: To reimburse or compensate him for money expended by him for injury sustained while performing his duty as an Officer in Jefferson County, Alabama, not exceeding the sum of Two Thousand Dollars (\$2,000.00) and provide for the payment thereof.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs.:			
Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

The bill:

H. 604. To authorize and empower, but not to require, the Board of School Commissioners of Mobile County, in their sole

discretion, to furnish free text books to pupils in the public schools of Mobile County, in all the school grades or in any one or more grades or in any one or more subjects; to use public school funds to that end; and to devise and put in force plans, rules and regulations to secure proper distribution, safekeeping and return of the books; providing that the title to, and control of such free text books shall remain in the said Board and that the books must be returned to the Board at the conclusion of the period of their use; and providing that nothing in the Act contained shall be construed to require any parent, guardian or custodian, of any child in a school grade to which free text books may be furnished hereunder, to have the child take or use such free text books, if such parent or other custodian should prefer to purchase or otherwise procure the required texts, in which case the books would remain the property of him or his successor in interest.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

The bill:

H. 92. To appropriate the sum of \$160.00 to be paid to S. B. Reneau of Elmore County, Alabama as compensation for damages sustained by him on the 11th day of November, 1927.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs.:

Beasley	Delony	Goodwin	Scruggs
Bonner	Duncan	Hooton	Teasley
Brown	Edmundson	Millsap	Walker
Craft	Farmer	Mullins	Wikle
Darden	Fletcher	Powell	

—19

The bill:

H. 95. For the relief of J. D. Richardson and to appropriate for the said J. D. Richardson the sum of \$1250.00, by reason of personal injuries and the permanent loss of the use of an arm sustained by him when eleven prisoners confined in the penitentiary at Speigner, Alabama, made a desperate effort to escape and two of them did escape on March 21, 1930, shooting their way to liberty and injuring the said J. D. Richardson, by shooting him, the said J. D. Richardson being then and there a guard at said penitentiary and an employee of the Board of Administration of Alabama.

Was read a third time at length and passed.

Yeas, 19; nays, 0.

Yeas:

Messrs.:

Beasley	Duncan	Hooton	Scruggs
Bonner	Edmundson	Hubbard	Teasley
Craft	Fletcher	Millsap	Walker
Darden	Garrett	Mullins	Wikle
Delony	Goodwin	Powell	

—19

The bill:

H. 97. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of \$140.00 for the relief of Thornhill Hardware Company, a partnership, composed of Sam H. Thornhill, Garie L. Thornhill and C. E. Weldon, on account of an error being made by said Thornhill Hardware Company in placing a bid with the State Board of Administration of Alabama to furnish said Board of Administration with one ton of dynamite, said bid being for the sum of \$170.00 and the ton of dynamite being delivered during the month of August, 1930 to said Board at and for the sum of \$170.00 when in fact it was intended that said bid be for \$340.00; the \$140.00 provided herein for the relief of said Thornhill Hardware Company will cause said company to receive the same as the lowest bid offered said Board of Administration for the delivery of said ton of dynamite.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Delony	Hooton	Scruggs
Bonner	Duncan	Millsap	Teasley
Cooper	Edmundson	Mullins	Walker
Craft	Farmer	Powell	Wikle
Darden	Goodwin		

—18

The bill:

H. 301. To authorize and provide for the payment of the sum of Five Thousand (\$5,000.00) Dollars to W. J. Adamson, Administrator of the Estate of William E. Adamson, for the relief of the Estate of William E. Adamson, deceased, who was killed on the 15th day of October 1931, as a result of a wreck at a creek near Wadley, Randolph County, Alabama, caused by the failure of the Alabama Highway Department to properly mark the detours at or near said creek.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Delony	Lapsley	Scruggs
Bonner	Duncan	Millsap	Teasley
Cooper	Farmer	Mullins	Walker
Craft	Goodwin	Powell	Wikle
Darden	Hooton		

—18

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 25. Relating to the salary or compensation of officers or employees of the State, or of any department thereof whose compensation is paid out of State Treasury.

S. 55. To amend Section 9612 of the 1923 Code of Alabama.

S. 126. To authorize the State Docks Commission to provide insurance for the compensation or benefit of persons injured or killed in the operation of said docks, or make settlement of claims arising from such injuries or deaths, and to pay the expense of such insurance or settlement as a part of the operating expenses of said docks.

S. 187. To prohibit the diversion, misappropriation, misapplication or misuse of any trust fund of the State and to provide penalties for a violation of said Act.

S. 199. To amend Section 10593 of the Code of Alabama of 1923.

S. 103. An Act to amend an Act entitled an Act to amend Section 56 of an Act (no. 56) enacted by the Legislature of Alabama, approved February 25, 1931, to provide for and regulate and control Primary Elections for the nomination by Political Parties of candidates for public office within the State of Alabama, as found on page 755 of the Acts of the Legislature of Alabama of 1931.

S. 117. To amend Section 5 of an Act entitled An Act "For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishments and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the five main large soil types of the State as represented in the Tennessee Valley, the Sand Mountain Section, the Black Belt, the Wiregrass and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction

of this work; to authorize and empower county Board of Revenue or County Commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said substations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations, approved September 10, 1927."

S. 159. To authorize the State Auditor, with the approval of the Governor, to consolidate warrants heretofore or hereafter issued by him as provided by law and to issue in lieu thereof one warrant for the aggregate amount of warrants surrendered and cancelled as herein provided; to provide for the surrender and cancellation of said warrants; to require the auditor to keep a transfer register showing the number, amount and payee of warrants surrendered and cancelled and the number, amount and payee of warrants issued in lieu thereof; to provide that all warrants issued shall be countersigned by the Governor and attested by the Secretary of State under the seal of the State.

S. 219. To provide one chief deputy sheriff of Coosa County, Alabama; to fix his salary, payable out of the general funds in equal monthly payments on warrants to be drawn by the Probate Judge on the general funds of the county which shall constitute a preferred claim against the general funds of the county; to require the chief deputy sheriff to reside at Rockford and to be under the direct supervision of the Sheriff of the Coosa County, Ala., and to require the Chief deputy sheriff to execute a bond payable to and approved by the Sheriff of the County for the faithful performance of his duties as chief deputy sheriff of Coosa County, Ala.

S. 190. To amend Section 22 of an Act, "Relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses, trailers used on the public highway of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama," said Act being No. 290, General Acts of Alabama, approved September 13, 1923.

T. A. Goodwyn,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, and House Joint Resolution your signature thereto is requested:

H. 148. To amend an Act entitled "An Act to further regulate and provide for the erection, repair and equipment of rural school houses in the several counties of the State of Alabama; and to provide for the payment of debts incurred by county boards of education in the erection, repair and equipment of rural school houses out of the rural school house fund as now authorized by law," approved July 8, 1931.

Also:

H. 256. To provide for the relief of Mrs. Pauline Fralish, the widow of Ewell Fralish, deceased, and for the dependent minor child of the said Ewell Fralish, deceased.

Also:

H. 263. To provide for the relief of Mrs. Ida V. Davis, the widow of T. J. Davis, deceased, and for the dependent minor children of the said T. J. Davis, deceased.

Also:

H. 299. To amend Section 139 of an Act: "To adopt the Code of Laws for the State of Alabama prepared in accordance with the provision of the Acts approved February 18th, 1927, (H. 273, Goode) and which pertains to Agriculture and Industries and relating subjects which are administered by, concern or relate to the duties of the Commissioner of Agriculture and to provide for the indexing, publication, sale and distribution of said Code which is to be known as the Agricultural Code of Alabama", approved August 24, 1927.

Also:

H. 337. For the protection of people who have assembled together to receive instruction, for amusement, recreation or any other lawful purpose from certain wrongful acts.

Also:

H. 341. To amend Section 363 of an Act entitled "An Act to provide for the general revenue of the State of Alabama", approved September 15th, 1919.

Also:

H. 394. To amend Schedule 107 of Section 361 of an Act "To provide for the general Revenue of the State of Alabama", Approved September 15, 1919.

Also:

H. 576. To provide for the relief of Byron Lindsey and to make appropriation therefor.

Also:

H. 577. To provide for the relief of W. H. Pope and to make appropriation therefor.

Also:

H. 578. To provide for the relief of Harriett Clark Pope, and to make appropriation therefor.

Also:

H. 623. For the relief of Evie D'Olive and to appropriate for the said Evie D'Olive the sum of Three Thousand (\$3,000.00) Dollars by reason of the death of Walter S. D'Olive, caused as a result of the negligence of the State Docks Commission by leaving unprotected an electric steel or iron rail with which the said Walter S. D'Olive came in contact about to-wit the 20th day of June, 1928, causing his death, and at a place where he had a right to be; and authorizing, directing and requiring the said State Docks Commission to pay to her the sum of Three Thousand (\$3,000.00) Dollars as a moral obligation owed by the said State Docks Commission to Evie D'Olive for the death of her husband.

Also:

H. 625. To pay the City of Marion for paving around the Perry County High School.

Also:

H. 626. To provide for the relief of Pearce Templin and to make appropriation therefor.

Also:

H. 659. To amend Section 3320 of the Code of Alabama of 1923.

Also:

H. 696. To amend an Act approved April 5, 1911, entitled "An Act to authorize the Board known as The Mobile School Commissioners to become indebted in anticipation of income, for maintenance and operation of schools of Mobile County"; so as, by such Amendment, to enable the said Board of School Commissioners of Mobile County to pledge the current revenues of the year to secure such indebtedness incurred in anticipation of income.

Also:

H. 697. To fix the compensation of circuit solicitors in all circuits of the State of Alabama which are now composed, or which may hereafter be composed, of one county having not less than three and not more than nine circuit judges and to provide the manner of payment of said compensation of said Solicitors and to fix the priority thereof.

Also:

H. 699. To provide that where two or more municipalities have consolidated or merged within one year prior to the passage of this Act, or may hereafter consolidate or merge, that in all cases where State and County licenses are levied upon a population classification, for a period of two years after the passage of this Act, the licenses levied shall be computed and based upon the population of

the municipality according to the last Federal Census in which the place where such business or occupation is carried on was located prior to such consolidation or merger.

Also:

S. J. R. 168. To provide for checking, comparing and delivering of the Journals of the Senate and House of Representatives of this session of the Legislature to the Secretary of State and State Printer. To further provide for the Secretary of Senate and Clerk of the House of Representatives to furnish any data or procure any information, when so requested by members of the Legislature.

J. H. Stewart,
Clerk.

SIGNING OF BILLS AND RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and resolution, the titles of which are set out in the foregoing Message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bill with the engrossed and original bill, respectively, and finds same correctly enrolled, to-wit:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

T. A. Goodwin,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing, Report of Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 643. To repeal an Act entitled, "An Act to authorize and require the Board of Revenue or other governing body of counties having a population of more than two hundred thousand (200,000), according to the last or any subsequent Federal Census, to draw its warrant in favor of the tax assessor and the tax collector, each, of such county or counties, for the payment of ex-officio services rendered by such officers, same to be drawn in equal monthly installments, and paid in the same manner warrants for salaries paid to county officers are now paid," approved September 2, 1927.

Also:

H. 684. To amend Sections 3, 6 and 7 of an Act entitled, "An Act to provide in all Counties in this State having a population of three hundred thousand (300,000) inhabitants or more, according to the last or any subsequent Federal Census for an action of ejectment to recover possession of real property, and regulate the proceedings in such action by a purchaser of real property at mortgage foreclosure sale, or by one claiming under such purchaser," approved June 29, 1931.

Also:

H. 692. For the relief of J. V. Walker: To reimburse or compensate him for money expended by him for injury sustained while performing his duty as an Officer in Jefferson County, Alabama, not exceeding the sum of Two Thousand Dollars (\$2,000.00) and provide for the payment thereof.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-third vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House refuses to accede to the request of the Senate for a new Conference Committee on the disagreement of the two Houses on the House amendment to the bill:

S. 206. To establish an Inferior Court for all precincts lying within or partly within the City of Birmingham, Alabama, said court to be in lieu of all Justices of the Peace, Notaries Public with powers of Justices of the Peace and all other Inferior Courts created in lieu of Justices of the Peace in said territory prior to the effective date of this Act except such courts as have criminal jurisdiction only and as otherwise limited by the terms of this Act, to

define the jurisdiction and powers of said courts and the officers thereof; to provide for the election of the officers of said court; to provide for the election and selection of the officers of said court; to fix their term of office; to fix the compensation of said officers and the method of paying the same; to provide the procedure in said court and to fix the method of service of all processes therefrom; to create and designate the officials to serve the processes issued from said court and to provide the compensation therefor, to designate the officers of said court and define their powers and duties; to provide for the establishment, maintenance, jurisdiction and powers of different branches of said court and branch offices thereof, to abolish in said city all Inferior Courts heretofore created in lieu of Justices of the Peace in and for all precincts lying within or partly within the City of Birmingham, except such courts as may have criminal jurisdiction only and as otherwise limited by the terms of this Act, and to provide for the transfer of such pending cases from such abolished courts to the courts hereby established.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 509. To fix the compensation or salary of the Deputy Clerk of the Branch of the Circuit Court of the Tenth Judicial Circuit of Alabama, sitting at Bessemer, in Jefferson County, Alabama, and to regulate the payment of the same.

Also:

H. 644. To further regulate the bailiffs in the Circuit Court in all counties in the State of Alabama having a population of two hundred (200,000) thousand or more, according to the last or any subsequent Federal Census; to provide for the appointment of bailiffs in such court, and to provide for and fix the compensation of such bailiffs.

Also:

H. 647. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, two hundred thousand (200,000) population or more according to the last or any subsequent Federal census, and to provide for the payment of such supplemental salaries.

Also:

H. 670. To impose an excise tax in addition to any and all other excise taxes now imposed by law on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, refining, storing, or withdrawing

from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; and providing for the collection and payment of such tax; and for the examination of the books and records of any persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, refining, storing or withdrawing from storage for any purpose whatsoever gasoline or other liquid motor fuels or devices or substitutes therefor in this State; providing a penalty for any false statements made in making reports to the State Tax Commission; providing for the distribution of the funds derived therefrom, and the use to which such funds may be put, and providing for the enforcement of this Act and fixing a penalty for violation of any of the provisions hereof.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Message from the House.

DISCHARGE OF CONFERENCE COMMITTEE

On motion of Mr. Edmundson, the Senate discharged its Committee of Conference heretofore appointed on the disagreement of the two Houses on the House amendment to the bill:

S. 206. To establish an Inferior Court for all precincts lying within or partly within the City of Birmingham, Alabama, said court to be in lieu of all Justices of the Peace, Notaries Public with powers of Justices of the Peace and all other Inferior Courts created in lieu of Justices of the Peace in said territory prior to the effective date of this Act except such courts as have criminal jurisdiction only and as otherwise limited by the terms of this Act, to define the jurisdiction and powers of said courts and the officers thereof; to provide for the election of the officers of said court; to provide for the election and selection of the officers of said court; to fix their term of office; to fix the compensation of said officers and the method of paying the same; to provide the procedure in said court and to fix the method of service of all processes therefrom; to create and designate the officials to serve the processes issued from said court and to provide the compensation therefor, to designate the officers of said court and define their powers and duties; to provide for the establishment, maintenance, jurisdiction and powers of different branches of said court and branch offices thereof, to abolish in said city all Inferior Courts

heretofore created in lieu of Justices of the Peace in and for all precincts lying within or partly within the City of Birmingham, except such courts as may have criminal jurisdiction only and as otherwise limited by the terms of this Act, and to provide for the transfer of such pending cases from such abolished courts to the courts hereby established.

And on further motion of Mr. Edmundson, the Senate reconsidered the vote by which it non-concurred in the following amendment by the House to said bill, S. 206, the title of which is above set out, to-wit:

Amendment to S. 306:

Amend Section 3 so as to read as follows:

Section 3. There shall be a clerk of said Court who shall be elected by the County Commission or other like governing body of the County and who shall serve for a term of one year and until his successor is elected and qualified. At the expiration of the term of office of said clerk and each one year thereafter his successor shall be appointed by the County Commission or other like governing body of the County for a term of one year and until his successor is elected and qualified. Said clerk before entering upon the duties of his office shall take the oath of office as prescribed by the Constitution of Alabama and enter into bond, the amount thereof to be fixed by the County Commission or other like governing body of Jefferson County, and conditioned as other official bonds as required by law to be conditioned and to be approved by the Probate Judge of the County, the premium on such bond to be paid out of the General Fund of the County.

The said Clerk shall be subject to impeachment for the same causes and in the same manner as now provided by law for the impeachment of other County officials. The compensation of such clerk shall be fixed by the County Commission of Jefferson County and payable out of the General Fund of the County in equal monthly installments.

Amend Section 4 so as to read as follows:

Section 4. The Clerk of said Court may appoint as many clerks or deputies as may be needful or necessary in the judgment of the County Commission of Jefferson County for the proper conduct of the affairs of said office and said clerks and deputies shall receive such compensation, payable out of the General Fund of the county, as may be fixed by the County Commission or other like governing body of the County. Said deputies and clerks shall serve at the pleasure of the clerk of the Court; provided that the clerk who serves be the North Birmingham branch of said court shall be appointed and serve at the pleasure of the County Commission.

And to amend S. 206 as follows:

By striking out Section 5 thereof and substituting therefor Section 4½ as follows:

Section 4½. The Clerk of said Court shall issue all processes out of this Court, approve all bonds and keep the dockets of the Court; he shall certify all appeals and certiorari and generally do and perform all clerical duties proper and necessary for the conduct of the Court. The fees and costs that are now allowed by law in the Municipal Courts of Birmingham (Civil Divisions—First and Third Divisions) shall be taxed and collected as provided by law in such cases and shall be by the Clerk paid into the County Treasury, and provided that no part of the Court costs so taxed shall be a cost as a trial tax.

Also:

To amend S. 206 further as follows:

By striking out the words "County Commission or other like governing body of the County" where said words appear in Section 16 thereof and substituting therefor the following words "Presiding Judge of the Circuit Court of such County".

And requested a Committee of Conference.

Thereupon, on motion of Mr. Edmundson, the Senate concurred in and adopted the following amendment by the House to S. 206, the title of which is above set out, to-wit:

Amendment to S. 206:

Amend Section 3 so as to read as follows:

Section 3. There shall be a clerk of said Court who shall be elected by the County Commission or other like governing body of the County and who shall serve for a term of one year and until his successor is elected and qualified. At the expiration of the term of office of said clerk and each one year thereafter his successor shall be appointed by the County Commission or other like governing body of the County for a term of one year and until his successor is elected and qualified. Said clerk before entering upon the duties of his office shall take the oath of office as prescribed by the Constitution of Alabama and enter into bond, the amount thereof to be fixed by the County Commission or other like governing body of Jefferson County, and conditioned as other official bonds as required by law to be conditioned and to be approved by the Probate Judge of the County, the premium on such bond to be paid out of the General Fund of the County.

The said Clerk shall be subject to impeachment for the same causes and in the same manner as now provided by law for the impeachment of other County officials. The compensation of such clerk shall be fixed by the County Commission of Jefferson County and payable out of the General Fund of the County in equal monthly installments.

Amend Section 4 so as to read as follows:

Section 4. The Clerk of said Court may appoint as many

clerks or deputies as may be needful or necessary in the judgment of the County Commission of Jefferson County for the proper conduct of the affairs of said office and said clerk and deputies shall receive such compensation, payable out of the General Fund of the county, as may be fixed by the County Commission or other like governing body of the County. Said deputies and clerks shall serve at the pleasure of the clerk of the Court; provided that the clerk who serves be the North Birmingham branch of said court shall be appointed and serve at the pleasure of the County Commission.

And to amend S. 206 as follows:

By striking out Section 5 thereof and substituting therefor Section 4½ as follows:

Section 4½. The Clerk of said Court shall issue all processes out of this Court, approve all bonds and keep the dockets of the Court; he shall certify all appeals and certiorari and generally do and perform all clerical duties proper and necessary for the conduct of the Court. The fees and costs that are now allowed by law in the Municipal Courts of Birmingham (Civil Divisions—First and Third Divisions) shall be taxed and collected as provided by law in such cases and shall be by the Clerk paid into the County Treasury, and provided that no part of the Court costs so taxed shall be a cost as a trial tax.

Also:

To amend S. 206 further as follows:

By striking out the words "County Commission or other like governing body of the County" where said words appear in Section 16 thereof and substituting therefor the following words "Presiding Judge of the Circuit Court of such County".

Yeas, 32; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

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STATEMENT FROM SENATOR LEE EDMUNDSON RELATING TO JEFFERSON COUNTY LEGISLATION

It seems proper that I should inform the Senate what happened in reference to the Conference Committee appointed to consider various Jefferson County bills. The committee on the part of the House consisted of Representatives Cooper Green, Charles West and Amzi Barber, the latter acting for Rep. Lewey Robinson, who was absent, and the committee on the part of the Senate consisting of Senators Fletcher, McDaniel and myself. I represented my senatorial colleagues at the conference.

At this conference five members of the House were present, in addition to the conferees, Representatives Tate and Bradford being present. After a full discussion lasting several hours nine bills which had been referred to the Conference Committee were fully agreed on. The conference report was drawn up by an attorney under instructions of the committee. When the House convened Friday morning this report was presented to the House conferees for their signature, but all except Rep. Green repudiated their conference agreement and refused to sign the document.

Later in the day, they signed the conference reports on three of the nine bills, these bills being measures in which the Senate had receded from its amendments. The county attorney bill, which abolishes that office, thereby saving Jefferson County taxpayers a considerable sum, was amended in conference to suit Rep. West. His ideas were incorporated in the bill. He refused to sign the conference report on this bill. It was stated in the Conference Committee by one of the House members that when the salary bills passed the House they knew the salaries were reduced too much and were unfair.

We agreed in conference that the amendments adopted were in line with compensation paid county officials in other counties of the State, and that we could not expect a higher order of public service from these officials at less compensation than that fixed by the Conference Committee.

I acted in good faith, and thought the House members from Jefferson County were acting in good faith also. Why this change and breach of the agreement made with the Senate conferees took place I do not know. I do know, however, that many lawyers considered the House bills unconstitutional, and to prevent any question as to the constitutionality of these bills I called the chairman of the County Commission to Montgomery and went over the bills with him, and at my suggestion an attorney was employed to correct any defects in the House bills, to the end that the county economy program might not be jeopardized, as apparently hoped for by some of the House members.

To this end the office holders affected were invited to Montgomery. Sheriff James F. Hawkins brought with him a letter addressed to the County Commission, agreeing to accept a cut of \$2,500 a year, and waiving any right to claim the salary heretofore given him by statute.

Tax Assessor L. A. Whetstone and Tax Collector J. W. Hamilton entered into agreements of like effect. Probate Judge Eugene Hawkins also came to Montgomery and voluntarily signed a similar agreement, a copy of which I wish to read to the Senate.

"November 1, 1932

County Commission of Jefferson County, Birmingham, Alabama.
Gentlemen:

In order that my position may not be misunderstood in the matter of salary reduction affecting the Probate Judge's office, I am making the following statement:

There is a bill pending in the Senate, having already passed the House, which fixes the salary of the Probate Judge at \$6,000.00 per annum. The Senate proposes to amend this bill to read \$6,500.00. If same is done it may affect the validity of the bill. With this in mind I desire to say that regardless of the validity of this bill, I will accept it in good faith and will not litigate it for the present term of office which expires in January, 1935, nor attempt to profit by virtue of any defect that may arise. However, it is my intention to receive the full amount (\$6,500.00) and should this figure be reduced by virtue of the "occupational tax" or otherwise, I will feel at liberty to contest it up to that figure.

Yours very truly,
EUGENE H. HAWKINS,
Probate Judge."

I took it that Judge Hawkins was sincere in entering into this agreement, but later, I am reliably informed by members of the House, Judge Hawkins opened a campaign to have the amount agreed upon by him increased. This, in repudiation of a solemn agreement made by him.

I ask you if this could have influenced any of the Jefferson County House delegation? After his campaign began the views of some of the House members were changed completely.

The House members shirked their responsibility and passed in some cases several bills on the same subject, these bills conflicting each with the other. To illustrate, three bills passed the House in reference to regulating bailiffs; four bills passed fixing compensation of circuit judges. There were numerous other duplicated bills.

One bill, introduced in the House by Rep. Morrow and passed, would have caused the City of Birmingham to default in its bond obligations according to a statement made to me by Commissioner Jones. Another of Rep. Morrow's bills required the County of Jefferson to pay fees for publication of legal notices where private citizens were involved and the county had no interest whatsoever. This bill I considered a raid on the treasury and refused to pass it.

Another bill, which I passed in the Senate and sent to the House, consolidated the municipal courts, abolishing one of the judges and one set of the clerks, thereby saving the taxpayers \$15,000 a year, according to information given me by the county commission chairman. This bill was amended in the House, and the House amendments with a minor change were agreed to in conference, but some of the conferees repudiated this agreement also.

Judge Arthur Jenkins has been in Montgomery lobbying against this bill. He stated to me within the last few hours that he was against all economy where it affected his own pocket book.

It is a fact that the only outside interference, so far as I know, with the Jefferson County economy program, has been brought about through the activity of Probate Judge Eugene Hawkins and Judge Arthur Jenkins, of municipal court.

Without assistance from members of the House, I am tonight attempting to straighten out and pass the municipal court bill saving \$15,000 a year for the taxpayers of my county and pass salary bill for economy.

LEE EDMUNDSON.

On motion of Mr. Edmundson, the foregoing statement was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has discharged its Committees of Conference heretofore appointed on the disagreement of the two Houses on the Senate amendments to the following bills:

H. 207. To authorize the governing body of all counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census to employ an attorney to be known as the County Attorney and to prescribe the duties of said employee and fix his compensation.

Also:

H. 361. To fix the compensation or salary of the Probate Judge of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 362. To fix the compensation or salary of the Tax Assessor of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 364. To fix the compensation or salary of the Sheriff of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 370. To fix the compensation or salary of the Tax Collector of Jefferson County, Alabama, and to regulate the payment thereof.

And returns same herewith to the Senate.

J. H. Stewart,
Clerk.

HOUSE MESSAGE

On motion of Mr. Edmundson, the Senate discharged its Conference Committee heretofore appointed on the disagreement of the two Houses on the Senate amendments to House Bills 207, 361, 362, 364, and 370, the titles of which are set out in the foregoing Message from the House.

And on the further motion of Mr. Edmundson a new Conference Committee on the disagreement of the two Houses on the Senate amendments to said bills was requested, and the President of the Senate appointed as conferees on part of the Senate Messrs. Edmundson, Teasley and Fletcher.

MESSAGE FROM THE HOUSE

Mr. President:

The House refuses to accede to the request of the Senate for a new Committee of Conference on the disagreement of the two Houses on the House amendment to the following bills:

H. 207. To authorize the governing body of all counties in this State having a population of two hundred thousand or more according to the last or any subsequent Federal Census to employ an attorney to be known as the County Attorney and to prescribe the duties of said employee and fix his compensation.

Also:

H. 361. To fix the compensation or salary of the Probate Judge of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 362. To fix the compensation or salary of the Tax Assessor of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 364. To fix the compensation or salary of the Sheriff of Jefferson County, Alabama, and to regulate the payment thereof.

Also:

H. 370. To fix the compensation or salary of the Tax Collector of Jefferson County, Alabama, and to regulate the payment thereof.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 92. To appropriate the sum of \$160.00 to be paid to S. B. Reneau of Elmore County, Alabama as compensation for damages sustained by him on the 11th day of November, 1927.

Also:

H. 95. For the relief of J. D. Richardson and to appropriate for the said J. D. Richardson the sum of \$1,250.00, by reason of personal injuries and the permanent loss of the use of an arm sustained by him when eleven prisoners confined in the penitentiary at Speigner, Alabama, made a desperate effort to escape and two of them did escape on March 21, 1930, shooting their way to liberty and injuring the said J. D. Richardson, by shooting him, the said J. D. Richardson being then and there a guard at said penitentiary and an employee of the Board of Administration of Alabama.

Also:

H. 97. To appropriate out of the general funds of the State of Alabama not otherwise appropriated, the sum of \$140.00 for the relief of Thornhill Hardware Company, a partnership, composed of Sam H. Thornhill, Garie L. Thornhill and C. E. Weldon, on account of an error being made by said Thornhill Hardware Company in placing a bid with the State Board of Administration of Alabama to furnish said Board of Administration with one ton of dynamite, said bid being for the sum of \$170.00 and the ton of dynamite being delivered during the month of August, 1930 to said Board at and for the sum of \$170.00 when in fact it was intended that said bid be for \$340.00; the \$140.00 provided herein for the relief of said Thornhill Hardware Company will cause said company to receive the same as the lowest bid offered said Board of Administration for the delivery of said ton of dynamite.

Also:

H. 301. To authorize and provide for the payment of the sum of Five Thousand (\$5,000.00) Dollars to W. J. Adamson, Administrator of the Estate of William E. Adamson, for the relief of the estate of William E. Adamson, deceased, who was killed on the 15th day of October 1931, as a result of a wreck at a creek near Wadley, Randolph County, Alabama, caused by the failure of the Alabama Highway Department to properly mark the detours at or near said creek.

Also:

H. 633. To amend section 1, of "An Act to provide for and authorize an incorporation by the Alabama Highway Director, the president of the State Board of Administration of Alabama and the chairman of the State Tax Commission of Alabama, for the purpose of constructing or causing to be constructed bridges and the approaches, for public use, on, or connecting highways in this State; to prescribe its powers and duties; to exercise the right of eminent domain; to provide for the raising of necessary funds for such purpose; to prescribe the rights and powers of the purchasers of any bonds issued; to maintain and operate such bridges, to operate any such bridge or bridges for toll until the cost of construction and maintenance shall have been paid; to provide for the payment of interest on said bonds by the State of Alabama; "Approved August 31, 1927, to extend the authority, powers and duties of the Alabama Bridge Corporation, to authorize and provide for the repayment of the principal and interest of same, and to authorize said corporation to engage in and use its funds for the construction and maintenance of highways; and to amend the corporate certificate or charter of the Alabama Bridge Corporation to conform to the provisions of this Act and to provide for the leasing of said bridges by the Highway department of the State of Alabama from said Alabama State Bridge Corporation.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Message from the House.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Warren, the Senate indefinitely postponed further consideration of the bill:

H. 628. To authorize and empower the County Board of Education of Tuscaloosa County, Alabama, to expend county school funds in aiding the Board of Revenue of Tuscaloosa County in the repair, equipment, maintenance, and improvement of the building in which the office of the said Board of Education are or may be in the future located and to authorize the said Board of Education also to assist in the purchase of supplies and other necessities for the operation of the headquarters of the Board of Education.

On motion of Mr. Teasley, the Senate indefinitely postponed further consideration of the following bills:

H. 485. To authorize and provide for the payment of the sum of \$2,000.00 for the relief of Mrs. Willie W. Edge of Blacksburg, Virginia, who sustained personal injuries while riding in an automobile on May 16th, 1931, as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama.

Also:

H. 486. To authorize and provide for the payment of the sum of \$1,000.00 for the relief of Harvey A. Edge of Blacksburg, Virginia, whose automobile was damaged on May 16th, 1931 as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama: and who paid out for the treatment and care of his wife, who was injured as a result of said collision between said trailer and the car in which he and his wife were riding, a large sum of money to doctors, hospitals, nurses, and for drugs, board and other expenses.

On motion of Mr. Edmundson the Senate indefinitely postponed further consideration of the bills:

H. 365. To regulate the payment of witness fees in criminal cases in Jefferson County, Alabama.

Also:

H. 645. To supplement the salaries of the circuit judges in Alabama in all judicial circuits which now have, or which may hereafter have, Two hundred thousand (200,000) population or more according to the last or any subsequent Federal census, and to provide for the payment of such supplemental salaries.

Also:

H. 683. Extending and fixing the time for redemption of real estate from sales occurring in the City of Birmingham, Alabama, subsequent to January 1, 1930, and prior to January 1, 1940 for assessments for public improvements for four years from the date of such sale and fixing and limiting the rate of interest, fees, penalties and charges to be paid upon redemption.

On motion of Mr. Craft, the Senate indefinitely postponed further consideration of the bill:

H. 383. It is further provided that any person, firm or corporation who shall transport fresh salt water shrimp by water, taken in the waters of Alabama to a point outside the boundary lines of the State of Alabama, without first having paid the tax as provided for by this Act shall be guilty of a misdemeanor and a penalty be fixed therefor.

BILLS ON THIRD READING RESUMED

The bill:

H. 636. To amend Section 1201 of the Code of 1923.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Edmundson	Millsap	Shepherd
Bonner	Farmer	Mullins	Teasley
Craft	Goodwin	Powell	Walker
Darden	Hubbard	Scruggs	Wikle
Duncan	Lapsley		

—18

The bill:

H. 523. To further regulate the Juvenile and Domestic Relations Court of Jefferson County, to fix the compensation of the Judge thereof and to provide for payment of the same, to provide for a clerk, solicitor, probation officers and other employees to serve in said Court, the method of their selection and the method of fixing the number of such clerks, probation officers and other employees and their compensation, and to regulate the payment of same and the manner of payment, and to fix a schedule of maximum salaries of said clerks, solicitor, probation officers and other employees.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

The bill:

H. 672. To authorize and direct the Commissioners Court of Choctaw County, Alabama to appropriate out of the general funds of Choctaw County, Alabama, twenty-five hundred dollars during their first regular meeting or session after the passage of this bill and twenty-five hundred dollars during their regular meetings in each October thereafter, and to pay the said monies to The Treasurer or other custodians of the funds of Choctaw County, Alabama, and direct him to use said monies exclusively for the payment of registered witness tickets which have been or may hereafter be issued by legal authorities in Choctaw County, Alabama, and to further authorize and direct the said Commissioners Court of Choctaw County, Alabama, to issue interest bearing warrants to provide said monies, if not available otherwise out of the General Fund, and to further provide conditions under which this law may become of no further force or effect.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

H. 441. To provide for the relief of Tom Bright, and to make appropriation therefor and to provide a commission to ascertain the amount of said relief.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Darden	Goodwin	Mullins
Bonner	Delony	Lapsley	Teasley
Brown	Duncan	McDaniel	Walker
Cowart	Edmundson	Millsap	Wikle
Craft	Garrett		

—18

H. 248. To amend Section 10471 of the Code of Alabama.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Darden	Lapsley	Powell
Bonner	Delony	McDaniel	Scruggs
Brown	Duncan	Millsap	Teasley
Cooper	Fletcher	Mullins	Wikle
Craft	Goodwin		

—18

The bill:

H. 384. To appropriate the sum of Twenty-five Hundred Dollars for the relief of Mrs. Myrtle Downey.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Darden	Fletcher	McDaniel
Bonner	Delony	Garrett	Mullins
Brown	Duncan	Goodwin	Teasley
Cooper	Edmundson	Lapsley	Wikle
Craft	Farmer		

—18

The bill:

H. 698. To amend Section 361, schedule 38½ of an Act approved September 15, 1919, entitled, an Act to provide for the general revenue of the State of Alabama, approved September 15, 1919.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Duncan	Lapsley	Powell
Bonner	Edmundson	McDaniel	Teasley
Cooper	Farmer	Millsap	Walker
Craft	Fletcher	Mullins	Wikle
Delony	Garrett		

—18

The bill:

H. 302. For the relief of S. L. Hawk and to appropriate for the relief of the said S. L. Hawk the sum of \$1500.00 by reason of personal injuries and the permanent loss of the full use of his left leg sustained by him when a truck belonging to the State of Alabama and on which the said Hawk was riding turned upon its side at or near what was known as Camp B, Lineville, Clay County, Alabama or or about December 17, 1929, the said S. L. Hawk being then and there an employee of the State of Alabama as Wheeler Foreman and Convict Guard and acting within the line and scope of his duties as such employee.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

Yeas:

Messrs.:

Beasley	Edmundson	Lapsley	Powell
Bonner	Farmer	McDaniel	Teasley
Cooper	Fletcher	Millsap	Walker
Craft	Garrett	Mullins	Wikle
Duncan	Goodwin		

—18

The bill:

H. 569. To license and regulate the business of making loans, in sums of One Hundred Dollars or less, secured or unsecured, in all counties of this State having a population of Two Hundred Thousand or more, according to the last or any subsequent Federal census, to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation of the provisions of this Act, to make usurious contracts unenforceable except as to the principal and to declare all usurious contracts voidable as to interest; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this Act shall take effect and to provide that if any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Was taken up.

Mr. Edmundson offered the following amendment to said bill to-wit:

Amend by striking out Section 21 and insert in lieu thereof the following:

Sec. 21. That this Act shall become effective 60 days after its passage and approval.

Which was adopted.

Yeas, 32; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

And said bill, as thus amended, was read a third time at length and passed.

Yeas, 32; nays, 0.

Yeas:

Messrs.:

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

H. 342. For the relief of W. N. Nixon and to appropriate for the relief of the said W. N. Nixon the sum of \$200.00, by reason of personal injuries and the permanent loss of the full use of his leg and knee of his right leg sustained by him when he fell from near the top of the stairs of an unfinished shack on which he was a convict guard at the State Penitentiary at Speigner, Alabama in August, 1930, the said W. N. Nixon being then and there an employee of the State of Alabama as convict guard at the Cotton Mill, State Penitentiary, Speigner, Alabama and acting within the line and scope of his duties as such employee and said stairs had no banister or hand-railing to aid a person to ascend or descend same and said Nixon received such injuries without any fault or negligence on his part whatsoever.

Was read a third time at length and passed.

Yeas, 18; nays, 0.

*Yeas:**Messrs.:*

Beasley	Craft	Fletcher	Millsap
Bonner	Darden	Garrett	Mullins
Brown	Delony	Goodwin	Powell
Cooper	Edmundson	Lapsley	Teasley
Cowart	Farmer		

—18

The bill:

H. 691. To provide that in the County of Henry, Alabama, the sheets or lists whereon are entered assessments of property for ad valorem taxation shall alphabetically by beats be substantially bound and labeled and serve in lieu of the books of assessments required by general law of Alabama, and from said sheets so bound a recapitulation thereof shall be made showing names of tax payers and aggregates of property assessed and taxes thereon, repealing all laws and parts of laws conflicting herewith and fixing date for this act to become effective.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

*Yeas:**Messrs.:*

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

The bill:

H. 641. To regulate Issuance of warrants for arrest returnable for trial before the County court of Henry County in the State of Alabama, repealing all laws and parts of laws in conflict with this Act and fixing date for this Act to take effect.

Was read a third time at length and passed.

Yeas, 32; nays, 0.

*Yeas:**Messrs.:*

Bartlett	Delony	Hildreth	Powell
Beasley	Duncan	Hooton	Riddle
Bonner	Edmundson	Hubbard	Scruggs
Brown	Farmer	Kelley	Shepherd
Cooper	Faulk	Lapsley	Teasley
Cowart	Fletcher	McDaniel	Walker
Craft	Garrett	Millsap	Warren
Darden	Goodwin	Mullins	Wikle

—32

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the bill:

H. 569. To license and regulate the business of making loans, in sums of One Hundred Dollars or less, secured or unsecured, in all counties of this State having a population of Two Hundred Thousand or more, according to the last or any subsequent Federal census, to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation of the provisions of this Act, to make usurious contracts unenforceable except as to the principal and to declare all usurious contracts voidable as to interest; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this Act shall take effect and to provide that if any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

J. H. Stewart,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 248. To amend Section 10471 of the Code of Alabama.

Also:

H. 384. To appropriate the sum of Twenty-five Hundred Dollars for the relief of Mrs. Myrtle Downey.

Also:

H. 441. To provide for the relief of Tom Bright, and to make appropriation therefor and to provide a commission to ascertain the amount of said relief.

Also:

H. 523. To further regulate the Juvenile and Domestic Relations Court of Jefferson County, to fix the compensation of the Judge thereof and to provide for payment of the same, to provide for a clerk, solicitor, probation officers and other employees to serve in said Court, the method of their selection and the method of fixing the number of such clerks, probation officers and other employees and their compensation, and to regulate the payment of same and the manner of payment, and to fix a schedule of maximum salaries of said clerks, solicitor, probation officers and other employees.

Also:

H. 636. To amend Section 1201 of the Code of 1923.

Also:

H. 672. To authorize and direct the Commissioners Court of Choctaw County, Alabama, to appropriate out of the general

funds of Choctaw County, Alabama, twenty-five hundred dollars during their first regular meeting or session after the passage of this bill and twenty-five hundred dollars during their regular meetings in each October thereafter, and to pay the said monies to The Treasurer or other custodians of the funds of Choctaw County, Alabama, and direct him to use said monies exclusively for the payment of registered witness tickets which have been or may hereafter be issued by legal authorities in Choctaw County, Alabama, and to further authorize and direct the said Commissioners Court of Choctaw County, Alabama, to issue interest bearing warrants to provide said monies, if not available otherwise out of the General Fund, and to further provide conditions under which this law may become of no further force or effect.

Also:

H. 698. To amend Section 361, schedule 38½ of an Act approved September 15, 1919, entitled, an Act to provide for the general revenue of the State of Alabama, approved September 15, 1919.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House bills, your signature thereto is requested:

H. 302. For the relief of S. L. Hawk and to appropriate for the relief of the said S. L. Hawk the sum of \$1500.00, by reason of personal injuries and the permanent loss of the full use of his left leg sustained by him when a truck belonging to the State of Alabama and on which the said Hawk was riding turned upon its side at or near what was known as Camp B, Lineville, Clay County, Alabama on or about December 17, 1929, the said S. L. Hawk being then and there an employee of the State of Alabama as Wheeler Foreman and Convict Guard and acting within the line and scope of his duties as such employee.

Also:

H. 342. For the relief of W. N. Nixon and to appropriate for the relief of the said W. N. Nixon the sum of \$200.00, by reason of personal injuries and the permanent loss of the full use of his

leg and knee of his right leg sustained by him when he fell from near the top of the stairs of an unfinished shack on which he was a convict guard at the State Penitentiary at Speigner, Alabama in August, 1930, the said W. N. Nixon being then and there an employee of the State of Alabama as convict guard at the Cotton Mill, State Penitentiary, Speigner, Alabama and acting within the line and scope of his duties as such employee and said stairs had no banister or hand-railing to aid a person to ascend or descend same and said Nixon received such injuries without any fault or negligence on his part whatsoever.

Also:

H. 569. To license and regulate the business of making loans, in sums of One Hundred Dollars or less, secured or unsecured, in all counties of this State having a population of Two Hundred Thousand or more, according to the last or any subsequent Federal census, to prescribe the rate of interest and charges therefor; and to prescribe penalties for the violation of the provisions of this Act, to make usurious contracts unenforceable except as to the principal and to declare all usurious contracts voidable as to interest; to provide for the repeal of inconsistent laws heretofore enacted; to provide when this Act shall take effect and to provide that if any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision.

Also:

H. 641. To regulate issuance of warrants for arrest returnable for trial before the County Court of Henry County in the State of Alabama, repealing all laws and parts of laws in conflict with this Act and fixing date for this Act to take effect.

Also:

H. 691. To provide that in the County of Henry, Alabama, the sheets or lists whereon are entered assessments of property for ad valorem taxation shall alphabetically by beats be substantially bound and labeled and serve in lieu of the books of assessments required by general law of Alabama, and from said sheets so bound a recapitulation thereof shall be made showing names of tax payers and aggregates of property assessed and taxes thereon, repealing all laws and parts of laws conflicting herewith and fixing date for this Act to become effective.

J. H. Stewart,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secre-

tary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing, Message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said committee, in session, has compared the following enrolled bills with the engrossed and original bills, respectively, and finds same correctly enrolled, to-wit:

S. 206. To establish an Inferior Court for all precincts lying within or partly within the City of Birmingham, Alabama, said court to be in lieu of all Justices of the Peace, Notaries Public with powers of Justices of the Peace and all other Inferior Courts created in lieu of Justices of the Peace in said territory prior to the effective date of this Act except such courts as have criminal jurisdiction only and as otherwise limited by the terms of this Act, to define the jurisdiction and powers of said courts and the officers thereof; to provide for the election of the officers of said court; to provide for the election and selection of the officers of said court; to fix their term of office; to fix the compensation of said officers and the method of paying the same; to provide the procedure of said court and to fix the method of service of all processes therefrom; to create and designate the officials to serve the processes issued from said court and to provide the compensation therefor, to designate the officers of said court and define their powers and duties; to provide for the establishment, maintenance, jurisdiction and powers of different branches of said court and branch offices thereof, to abolish in said city all Inferior Courts heretofore created in lieu of Justices of the Peace in and for all precincts lying within or partly within the City of Birmingham, except such courts as may have criminal jurisdiction only and as otherwise limited by the terms of this Act, and to provide for the transfer of such pending cases from such abolished courts to the courts hereby established.

T. A. Goodwin,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report of the Committee on Enrolled Bills.

REPORT OF SECRETARY

To the Senate:

Pursuant to the provisions of Joint Rule No. 5 of the Senate and House, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. 17. To provide that in Etowah County, agreements may be entered into for the lease, rental or hire of personal property not to exceed Two Hundred (\$200.00) Dollars in value, said agreements to be valid against purchasers for a valuable consideration, mortgagees, landlord's lien and judgment creditors without being recorded in the office of the judge of probate; to provide for the repossession of such personal property by the lessor; to prescribe penalties for the unlawful disposition of such personal property by the lessee, and to repeal all laws in conflict.

Delivered to the Governor November 1, 1932, at 11:30 A. M.

Also:

S. 25. Relating to the salary or compensation of officers or employees of the State, or any department thereof whose compensation is paid out of State Treasury.

Delivered to the Governor November 1, 1932, at 11:30 A. M.

Also:

S. 49. To appropriate the sum of \$120.00 out of the General Fund of the State to reimburse A. P. Smith for money collected from him through mistake or error.

Delivered to the Governor November 1, 1932, at 11:30 A. M.

Also:

S. 191. To amend Section 240 of the Code of Alabama of 1923.

Delivered to the Governor November 1, 1932, at 11:30 A. M.

Also:

S. 150. For the relief of A. M. McConnell, of Athens, Alabama.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 173. For relief of Dixie Chemical Products Co., Inc., and to authorize and empower the Board of Revenue of Morgan County, Alabama, to pay within its discretion, to the said Dixie Chemical Products Co., Inc., the sum of \$182.10 with interest from Jan. 23, 1922, which sum of money represents an account created by the County of Morgan through its Sheriff, J. V. May, which account has never been paid.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 176. To appropriate the sum of Twenty-five Hundred Dollars for the relief of Mrs. Myrtle Downey.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 177. For the relief of Joe Ferguson and to make an appropriation for the relief of Joe Ferguson who served in the State Militia during the year 1924, and while in the line of duty at Camp McClellan, Alabama at the annual encampment was accidentally shot through the left hand with a pistol which caused him great pain and expensive doctor bills, and the total loss of time for several months, together with a deformed hand for life; to create a Commission or Committee composed of the Governor, Attorney General and the Adjutant General of the State of Alabama to adjudicate his said claim and to pay him on the merits of the same from evidence that may be furnished in the form of affidavits and other reliable sources; and to provide that the amount of such compensation shall not exceed Twelve Hundred Dollars.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 186. For the relief of Mutual Oil Company, of DeKalb County, Alabama, to refund certain moneys erroneously or illegally collected from said company as money due the State of Alabama as Sales Tax or License on gasoline.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 192. For the relief of W. T. Johnson: To provide for the refund of One hundred and fifty dollars (\$150.00) being the proportionate part paid for a license to do business and such business was after prohibited by law before the time granted in the license had expired; To authorize the Auditor to issue a voucher for said amount, and to authorize the Treasurer of the State of Alabama to pay the same out of the general fund.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 198. To authorize the State Docks Commission to pay to Mrs. Katherine T. Johnson, as widow of John Johnson, deceased, the sum of Five Thousand (\$5,000.00) Dollars out of its treasury, as compensation for the death of the said John Johnson, while acting within the line of his duty as pilot while in the employment of said State Docks Commission.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 269. To authorize Board of County Commissioners to Madison County, to donate to Local Chapter of American Red Cross in said County, for relief of destitution, proceeds of excise gasoline tax distributed to said County under the provisions of an Act of the Legislature of Alabama, approved July 27, 1931; and to repeal all laws in conflict with this Act.

Delivered to the Governor, November 1st, 1932, at 3 P. M.

Also:

S. 79. To provide for the special relief of J. A. Kizer by making an appropriation to compensate him for injuries received while he was employed by the Alabama Insane Hospital.

Delivered to Secretary of State Nov. 1st, 1932, at 3:15 P. M.

Also:

S. 20. To repeal that certain Act printed on page 394 of General Acts of Alabama of 1931, and approved July 2, 1931, entitled "An Act to amend an Act entitled an Act to define the business of burial companies, associations and societies; to provide for the better regulation of such companies, associations and societies, and to fix a standard of solvency for such companies, associations, and societies, and to provide penalties for violation of this Act, approved July 29, 1927.

Delivered to the Governor November 1st, 1932, at 4:25 P. M.

Also:

S. 153. To authorize and provide for the payment of the sum of \$1,500.00 for the relief of Mrs. Willie W. Edge of Blacksburg, Virginia, who sustained personal injuries while riding in an automobile on May 16th, 1931, as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama.

Delivered to the Governor, November 1st, 1932, at 4:25 P. M.

Also:

S. 154. To authorize and provide for the payment of the sum of \$500.00 for the relief of Harvey A. Edge of Blacksburg, Virginia, whose automobile was damaged on May 16th, 1931 as a result of being run into or against by a trailer attached to a truck of the State Highway Department, the property of the State of Alabama; and who paid out for the treatment and care of his wife, who was injured as a result of said collision between said trailer and the car in which he and his wife were riding, a large sum of money to doctors, hospitals, nurses, and for drugs, board and other expenses.

Delivered to the Governor, November 1st, 1932, at 4:25 P. M.

Also:

S. 209. Conferring the right for a period of ninety days from the passage of this Act to institute suit in equity to contest wills where suit has been heretofore instituted within the time permitted before the adoption of Acts Nos. 733 and 731, approved August 1, 1931, but not within the time permitted by said Acts."

Delivered to the Governor, November 1st, 1932, at 4:25 P. M.

Also:

S. 237. To amend an Act entitled "An Act to provide for the maintenance, repair and improvements of the Alabama Home for Mental Inferiors", approved February 3, 1923.

Delivered to the Governor, November 1st, 1932, at 4:25 P. M.

Also:

S. 266. To create a Commission of Adjustment for the City of Mobile, Alabama, and to name the members thereof; to prescribe their powers and duties; to provide for furnishing of offices to such Commission; to authorize said Commission to make reduction in all assessments against property included in the following paving ventures, to-wit:

- Series "W"—21st Paving
- Series "X"—22nd Paving
- Series "Y"—23rd Paving
- Series "Z"—24th Paving
- Series "A-B"—25th Paving
- Series "C-D"—26th-A Paving
- Series "I-J"—26th Paving
- Series "M-N"—27th Paving

To provide for the payment of reduced assessments and any refund due property owners of the City of Mobile, and to require the Board of Commissioners of the City of Mobile, Alabama, to create a special fund out of which to pay for any reductions made; to provide the purpose for which monies may be expended from said fund and to fix a penalty for expending any monies from said fund except as herein directed; and to provide the method of appeal from the finding of such Commission.

Delivered to the Governor, November 1st, 1932, at 4:25 P. M.

Also:

S. 270. "To amend Section 1 of an Act entitled 'An Act to amend Section 2011 of the Code of Alabama of 1923, approved August 31, 1927.'"

Delivered to the Governor, November 1st, 1932, at 4:25 P. M.

Also:

S. 72. To provide for the propounding and prosecution of a claim or claims by and in the name of the State of Alabama against the Government of the United States of America for the recovery, under the present laws of the United States or such as may be hereafter enacted, from said Government of all moneys heretofore paid illegally into the Federal treasury as a direct tax upon property situated in the State of Alabama; to provide for the recovery of same; to authorize the Governor of the State to employ counsel and enter into the necessary contracts and agreements for the carrying out of the object of this Act; to provide for notice to and procedure by claimants of such moneys and to fix a prescription period after which such moneys shall escheat to and become the absolute property of the State of Alabama.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 73. For the relief of tax payers permitting and authorizing the transfer of any tax claim held by the State of Alabama, any county, municipality or taxing district thereof and authorizing and

directing the issue of certificates evidencing such transfers and securing to the owner or holder of such certificates the same liens and the same remedies for enforcing said tax claims as the State of Alabama or the county or municipality or taxing district had prior to said transfer by it and providing for the enforcement and release thereof by such owner or holder."

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 118. To prohibit any person, in the State of Alabama from accepting as informers fee any part of any fine imposed on persons violating the game and fish laws of this State. To require courts and/or clerks of courts imposing fines for game and fish violations to remit same to the Commissioner of Game and Fisheries, which fines shall be disposed of by said Commissioner as provided by law; and providing penalties for violation of this Act and providing for repeal of all laws in conflict with the provisions of this Act.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 193. To amend Section 1897 of the Code of Alabama of 1923, in relation to the borrowing of money by municipalities.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 194. To amend the Act approved September 10th, 1927, and entitled "An Act to provide a Code of Laws authorizing and governing the issuance, sale, regulation, funding, paying and retiring of bonds of the Counties and municipal corporations, and to repeal sections 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2269, 2270, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 234, 235, 236, 237, 238, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, and 266, Code of Alabama of 1923, and all other laws or parts of laws in conflict with this Act."

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 220. To regulate the operation of trucks and other vehicles on the highways so as to better protect, or, prevent the injuring and the killing of, school children,—Pupils or students—while being transported to and from school on school busses, and to provide penalties for violating the provisions of the Act.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 232. To authorize and empower the Board of Revenue or Court of County Commissioners or other like governing body of each and every County in Alabama to expend an amount not to exceed one-third of the total amount that may be received by each county from the levy and collection of any tax on gasoline in the payment of any debt that may have been heretofore incurred by

such county for the construction and/or maintenance of roads or bridges.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 238. To amend Section 1463 of the Code of Alabama of 1923.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 244. To amend Sections 312 and 324 of the Code of Alabama, 1923, relating to county depositories in lieu of county treasurers.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. J. R. 98. Urging His Excellency, the Governor, to make and prosecute the necessary application or applications to secure to the unemployed and destitute citizens of Alabama the necessary funds to sustain life and health.

Delivered to the Governor, November 4th, 1932, at 10:15 A. M.

Also:

S. 46. To amend Section 50 of an Act of the Legislature of Alabama, approved September 10, 1927, and entitled "An Act to provide a Code of Laws defining the powers of municipal corporations in this State with respect to the construction and maintenance of public improvements and betterments and the assessment of the whole or any part of the cost thereof against the abutting property, or property specially benefited or increased in value by reason of such improvement, and amending sections 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2236, 2237, of the Code of Alabama of 1923; and repealing Sections 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235 of said Code; and to repeal all laws in conflict with the same."

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 78. To provide that all liens for public improvements which cities and towns in this State now have or may hereafter acquire under the general laws of this State, shall continue until same are paid or satisfied in full.

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 168. To impose all the duties of the State Securities Commission and the duties of the President and Associate Members of said Commission under existing law upon the Superintendent of Banks of this State; and to invest in the Superintendent of Banks all the authority, rights, privileges and immunities of the

State Securities Commission and of the President and Associate Members of said Commission; and to provide that on and after the effective date of this Act the State Securities Commission shall be composed of the Superintendent of Banks of this State; and to provide that the State Securities Commission shall have its office in the office of the Superintendent of Banks of this state.

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 179. To fix the minimum school age at which children may enter public schools.

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 212. To amend Section 2916 of the Code of Alabama of 1923.

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 213. To amend Section 1 of an Act entitled, "An Act to amend Sections 2927 and 2929 of the 1923 Code of Alabama, (approved March 5, 1931)".

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 222. To amend Section 1 of an Act entitled "to transfer the jurisdiction of the juvenile courts in all counties of thirty-five thousand population or less according to the last or any subsequent Federal Census to county inferior courts that are now or have been or may hereafter be established in any such counties," approved July 22, 1931, by providing that such Act shall not apply to counties which now have or may hereafter have a population of less than twenty-five thousand inhabitants according to the last or any subsequent Federal Census, and to provide for the transfer of the juvenile court jurisdiction in such counties to the probate courts thereof.

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 228. To fix the time allowed the Secretary of the Senate and Clerk of the House of Representatives to check, compare and deliver the Journals of the House and Senate to the Secretary of State and copy and deliver the Journals of their respective Houses, with proper indexes thereto, to the public printer, and to provide for the payment of the compensation provided by law for such services to the Secretary of the Senate and the Clerk of the House of Representatives.

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 246. To establish a Budget and provide for the preparation of a Budget for the Public School System of Mobile County by the Board of School Commissioners of Mobile County; to provide that

the appropriations by such Board shall not exceed the income of the Public School System of Mobile County; to classify appropriations; to prohibit any official of any institution maintained in whole or in part by the Board of School Commissioners of Mobile County or any department or agency of the Public School System of Mobile County having charge of the disbursements and expenditures of county funds from expending or contracting to expend any amount in excess of such appropriation or funds; to repeal any laws or parts of laws in conflict herewith.

Delivered to the Governor, November 4th, 1932, at 12:15 P. M.

Also:

S. 14. To require the Court of County Commissioners, or like governing body of St. Clair County, to appropriate annually out of the general fund of the County a sum not less than three thousand (\$3,000.00) dollars; such sum to be preferred claim and payable to the budget of the St. Clair County Health Department for the establishment, maintenance and operation of a health department in the county.

Delivered to the Governor, November 4th, 1932, at 5:40 P. M.

Also:

S. 236. To amend an Act entitled "An Act in relation to the educational system of Alabama; to make appropriations and provide funds for the support, maintenance and development of public education in Alabama, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, The Alabama School of Trades and Industries, the Alabama College, the Alabama Polytechnic Institute and the University of Alabama; and to prescribe conditions of apportionment and expenditure of such funds or appropriations," Approved August 25th, 1927.

Delivered to the Governor, November 4th, 1932, at 5:40 P. M.

Also:

S. 261. To amend Section 21 of an Act entitled an Act "To Provide for the establishment of a base of operations and training for the air service of the Alabama National Guard, including the provision of land for such base and the improvement of such land with buildings, structures and otherwise, and including also the equipping of such buildings and structures; to create a Commission for the accomplishment of the aforesated purpose; to define and prescribe the duties, powers, privileges, immunities and responsibilities of such Commission; and to make an appropriation for the effectuation of the purposes of this Act, approved, July 2, 1931.

Delivered to the Governor, November 4th, 1932, at 5:40 P. M.

Also:

S. 272. In relation to the Educational System of Alabama to make appropriations and provide funds for the purpose of paying the balance due on appropriations and for outstanding indebtedness

incurred for capital outlays for institutions under the general or direct control, or subject to the rules and regulations of the State Board of Education, the Alabama Polytechnic Institute, The University of Alabama and the Alabama College, and to repeal Section 58 of the School Code of Alabama of 1927.

Delivered to the Governor, November 4th, 1932, at 5:40 P. M.

Also:

S. 275. To fix the compensation or salary of the Register of the Circuit Court of Jefferson County, Alabama and to regulate the payment of the same.

Delivered to the Governor, November 4th, 1932, at 5:40 P. M.

Also:

S. 126. To authorize the State Docks Commission to provide insurance for the compensation or benefit of persons injured or killed in the operation of said docks, or make settlement of claims arising from such injuries or deaths, and to pay the expense of such insurance or settlement as a part of the operating expenses of said docks.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 55. To amend Section 9612 of the 1923 Code of Alabama.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 25. An Act relating to the salary or compensation of officers or employees of the State, or of any department thereof whose compensation is paid out of State Treasury.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 190. To amend Section 22 of an Act, "Relating to and to further provide for the revenue of the State of Alabama by providing for the registration and identification of motor vehicles, motor tractors, jitney busses, trailers used on the public highways of Alabama, and for the registration or license fee therefor, and to further provide for the revenue of the State of Alabama", said Act being No. 290, General Acts of Alabama, approved September 13, 1923.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 219. To provide one chief deputy sheriff of Coosa County, Alabama; to fix his salary, payable out of the general funds in equal monthly payments on warrants to drawn by the Probate Judge on the general funds of the county which shall constitute a preferred claim against the general funds of the county; to require the chief deputy sheriff to reside at Rockford and to be under the direct supervision of the Sheriff of the Coosa County, Ala., and to require the Chief deputy sheriff to execute a bond payable

to and approved by the Sheriff of the County for the faithful performance of his duties as chief deputy sheriff of Coosa County, Ala.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 117. To amend Section 5 of an Act entitled An Act "For the purpose of finding out new scientific facts in regard to the use of fertilizer for farm and truck crops, the adaptation and improvement of varieties of crops, the establishments and improvement of pastures, the production of feed and forage crops, the economic production and management of live-stock, the production of fruits, vegetables, nuts and citrus fruit, the control of insect pests, plant and live-stock diseases, and other similar important agricultural and economic problems having for their object the development of a more permanent, more profitable and diversified agriculture, there is hereby created and provision made for the maintenance of sub-agricultural experiment stations, one upon each of the five main large soil types of the State as represented in the Tennessee Valley, the Sand Mountain Section, the Black Belt, the Wiregrass and the Gulf Coast area; to create a commission to locate said sub-stations and to provide for its per diem and expenses; to provide for the carrying on of research work on Experimental Fields in different parts of the State; to make appropriations to the Board of Trustees of the Alabama Polytechnic Institute for carrying out the purposes of this Act; to provide for the administration and direction of this work; to authorize and empower county Board of Revenue or County Commissioners, or other bodies having similar jurisdiction in the several counties of the State, individuals, firms, organizations, corporations, companies or municipalities to make donations and appropriations for the purchase of land and equipment for said sub-stations; to authorize the Board of Trustees of the Alabama Polytechnic Institute to accept such donations, approved September 10, 1927."

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 159. To authorize the State Auditor, with the approval of the Governor, to consolidate warrants heretofore or hereafter issued by him as provided by law and to issue in lieu thereof one warrant for the aggregate amount of warrants surrendered and cancelled as herein provided; to provide for the surrender and cancellation of said warrants; to require the auditor to keep a transfer register showing the number, amount and payee of warrants surrendered and cancelled and the number, amount and payee of warrants issued in lieu thereof; to provide that all warrants issued shall be countersigned by the Governor and attested by the Secretary of State under the seal of the State.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 199. To amend Section 10593 of the Code of Alabama of 1923.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 103. An Act, to amend an Act entitled an Act to amend Section 56 of an Act (No. 56) enacted by the Legislature of Alabama, approved February 25, 1931, to provide for and regulate and control Primary Elections for the nomination by political parties of candidates for public office within the State of Alabama, as found on page 755 of the Act of the Legislature of Alabama of 1931.

Delivered to the Governor, November 4th, 1932, at 9:15 P. M.

Also:

S. 187. To prohibit the diversion, misappropriation, misapplication or misuse of any trust funds of the State and to provide penalties for a violation of said Act.

Delivered to the Governor, November 4, 1932, at 9:15 P. M.

Also:

S. 235. To make appropriations for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the State, for the interest on the public debt, and for the public schools.

Delivered to the Governor, November 4th, 1932, at 10:30 P. M.

Also:

S. 206. To establish an Inferior Court for all precincts lying within or partly within the City of Birmingham, Alabama, said court to be in lieu of all Justices of the Peace, Notaries Public with powers of Justices of the Peace and all other Inferior Courts created in lieu of Justices of the Peace in said territory prior to the effective date of this act except such courts as have criminal jurisdiction only and as otherwise limited by the terms of this act, to define the jurisdiction and powers of said courts and the officers thereof; to provide for the election of the officers of said court; to provide for the election and selection of the officers of said court; to fix their term of office; to fix the compensation of said officers and the method of paying the same; to provide the procedure in said court and to fix the method of service of all processes therefrom; to create and designate the officials to serve the processes issued from said court and to provide the compensation therefor, to designate the officers of said court and define their powers and duties; to provide for the establishment, maintenance, jurisdiction and powers of different branches of said court and branch offices thereof to abolish in said city all Inferior Courts heretofore created in lieu of Justices of the Peace in and for all precincts lying within or partly within the City of Birmingham, except such courts as may have criminal jurisdiction only and as otherwise limited by the terms of this act, and to provide for the transfer of such pending cases from such abolished courts to the courts hereby established.

Delivered to the Governor, November 4th, 1932, at 11:35 P. M.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and, on motion of Mr. Fletcher, said report was concurred in and ordered spread upon the Journal.

Mr. Teasley offered the following Joint Resolution:

S. J. R. 109. BE IT RESOLVED BY THE SENATE, the House concurring, that a joint committee, consisting of three members from each House, be appointed to advise the Governor that their labors are completed and desire to know that if he has any further communication to convey to the Legislature.

And on motion of Mr. Teasley, the rules were suspended and the resolution adopted.

And the President of the Senate appointed as a committee on part of the Senate, Messrs. Teasley, Fletcher and Walker.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted S. J. R. 109.

And the Speaker named as the committee on the part of the House, Messrs. St. John, Miller and Culver.

And returns said resolution herewith to the Senate.

J. H. Stewart,
Clerk.

REPORT OF COMMITTEE ON REVISION OF JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Thirtieth Legislative Day, and finds same correct and containing all original entries and references thereto required by the Constitution.

Respectfully submitted,
Hubert Farmer,
Chairman.

COMMITTEE REPORT

On motion of Mr. Farmer, the foregoing report was concurred in and the Journal of the Senate for the Thirtieth Legislative Day, approved.

ADJOURNMENT SINE DIE

At 11:55 P. M., on motion of Mr. Hubbard, the Senate adjourned Sine Die.

Hugh D. Merrill,
Lieutenant-Governor and President and
Presiding Officer of the Senate.

ATTEST:

J. E. Speight, Secretary.

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MEMBERS OF THE SENATE

1932

Hugh D. Merrill, Lieutenant-Governor.....	Anniston, Ala.
Senator R. H. Powell, President Pro Tem.....	Tuskegee, Ala.
J. E. Speight, Secretary.....	Montgomery, Ala.
Harrison McCutchen, Ass't. Secretary.....	Scottsboro, Ala.

1st Dist., Senator R. H. Walker, Athens, Ala.
2nd Dist., Senator J. Marvin Kelley, Hartselle, Ala.
3rd Dist., Senator B. J. Cowart, Haleyville, Ala.
4th Dist., Senator Shelby S. Fletcher, Huntsville, Ala.
5th Dist., Senator C. D. Scruggs, Guntersville, Ala.
6th Dist., Senator E. D. Jordan, Attalla, Ala.
7th Dist., Dr. J. L. Wikle, Anniston, Ala.
8th Dist., Senator D. Hardy Riddle, Talladega, Ala.
9th Dist., Senator Paul J. Hooton, Roanoke, Ala.
10th Dist., Senator J. Sanford Mullins, Alex. City, Ala.
11th Dist., Senator W. C. Warren, Tuscaloosa, Ala.
12th Dist., Senator Coleman Shepherd, Jasper, Ala.
13th Dist., Senator Lee Edmundson, Birmingham, Ala.
14th Dist., Senator W. W. Beasley, Carrollton, Ala.
15th Dist., Senator J. G. Duncan, Prattville, Ala.
16th Dist., Senator H. M. Caffey, Hayneville, Ala.
17th Dist., Senator T. A. Goodwin, Florala, Ala.
18th Dist., Senator Howard Cooper, Brent, Ala.
19th Dist., Senator Coma Garrett, Jr., Grove Hill, Ala.
20th Dist., Senator Henry McDaniel, Demopolis, Ala.
21st Dist., Senator E. T. Millsap, Monroeville, Ala.
22nd Dist., Senator J. M. Bonner, Camden, Ala.
23rd Dist., Senator T. S. Faulk, Samson, Ala.
24th Dist., Senator C. S. McDowell, Jr., Eufaula, Ala.
25th Dist., Senator G. J. Hubbard, Troy, Ala.
26th Dist., Senator R. H. Powell, Tuskegee, Ala.
27th Dist., Senator C. G. Brown, Hurtsboro, Ala.
28th Dist., Judge C. B. Teasley, Montgomery, Ala.
29th Dist., Senator John T. Bartlett, Collinsville, Ala.
30th Dist., Senator J. W. Lapsley, Selma, Ala.
31st Dist., Senator John E. Delony, Tuscumbia, Ala.
32nd Dist., Senator E. F. Hildreth, Eutaw, Ala.
33rd Dist., Senator John Craft, Mobile, Ala.
34th Dist., Senator John A. Darden, Goodwater, Ala.
35th Dist., Senator Hubert Farmer, Dothan, Ala.

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ACTS AMENDED—

- To amend Section 151 of Act "To adopt a code of laws, etc., pertaining to Agriculture and Industries, etc., approved July 5th, 1927, H. 6, pages 980, 981, 1080, 1263, 1278.
- To amend Section 18 of Revenue Act approved July 22, 1927, H. 34, pages 979, 981.
- To amend Act approved Sept. 26, 1923, "To fix compensation of Courts of County Commissioners or Boards of Revenue in Counties of 96,000 to 115,000 population, H. 35, pages 106, 109, 1079, 1246.
- To amend Section 1 of Act approved Sept. 29, 1919, "To declare Nov. 11 memorial Day and a Legal Holiday, H. 45, pages 98, 728, 930, 979, 1047.
- To amend Act approved Feb. 18, 1927, to further regulate custody, care, etc., of County convicts, etc., H. 47, pages 465, 465.
- To amend Section 12 of Act providing for registration, etc., of automobiles, jitney buses, approved Sept. 13, 1923, H. 107, pages 328, 328, 458, 566, 583, 597.
- To amend Act to further regulate and provide for erection, repair, etc., of rural schoolhouses; payment of debts, etc., H. 148, pages 1140, 1141, 1168, 1350, 1367.
- To amend Section 30½ of General Revenue Act, approved Aug. 22, 1923, H. 172, pages 465, 465.
- To amend Section 3 of General Revenue Act approved Aug. 22, 1923, H. 173, pages 465, 465, 513, 1294, 1321.
- To amend Act to create in cities of 175,000 population a Board of Trustees of Firemen's Pension and Relief Fund, etc., H. 195, pages 148, 150, 569, 725, 929, 956.
- To amend Section 1 of Act to provide in all cities of 60,000 to 150,000 population having adopted commission form of Government, Board of Road and Revenue Commissioners may pay recorder for ex-officio services, approved, Sept. 27, 1923, H. 196, pages 258, 263, 1079, 1247.
- To amend Section 25 of Act to establish and Inferior Court of Record in all counties of 300,000 or more population, etc., approved July 20, 1931, H. 208, pages 517, 551, 951, 1238, 1280.
- To amend Section 19 of Act to provide for the government by a commission of cities of 100,000 population or more, etc., approved Sept. 25, 1915, H. 210, pages 258, 263.
- To amend Section 2 of Act to further prescribe duties of county treasurers in counties of 200,000 population or more, etc., approved Oct. 31, 1921, H. 217, pages 517, 551, 727, 931, 956.
- To amend Sections 3, 6 and 7 of Act to authorize Courts of County Commissioners or like governing bodies in counties of 105,000 to 300,000 population to establish one or more voting places in certain election precincts, etc., approved May 28, 1931, H. 221, pages 259, 263, 301, 370, 397.
- To amend Act providing for registration, etc., of motor vehicles, etc., H. 282, pages 830, 839, 882, 1178, 1201, 1281.
- To amend Section 1 of Act to provide for suspension of imposition or execution of sentences and placing of defendant upon probation, passed July 14th, 1931, H. 300, pages 353, 354, 358, 403, 424.
- To amend Section 363 of General Revenue Act approved Sept. 15, 1919, H. 341, pages 1157, 1159, 1169, 1355, 1367.

ACTS AMENDED—Continued.

- To amend Section 1 of Act to authorize cities and towns to fix and collect business and professional licenses, etc., approved Sept. 6, 1927, pages 966, 975, 1029, 1260.
- To amend Schedule 107 of Section 361 of General Revenue Act approved Sept. 15, 1919, H. 394, pages 1145, 1145, 1170, 1349, 1367.
- To amend Section 1 of Act to provide for election of Solicitor for each Judicial Circuit, etc., approved Sept. 15, 1915, H. 407, pages 894, 911, 1031, 1261.
- To amend Act to advance cause of education by exempting certain property from taxation, approved Sept. 9, 1927, H. 415, pages 966, 975, 1029, 1260, 1282.
- To amend Section 2 of Act to provide for and regulate assessment, levy and collection of city taxes, etc., in cities of 6,500 to 15,000 population, approved June 26, 1931, H. 423, pages 518, 551, 1034, 1257.
- To amend Sections 17, 18, 52, 55, 56 and 60 of Municipal Bond Code, approved Sept. 10, 1927, entitled an Act to provide code of laws governing the issuance, sale, etc., of funding and refunding bonds, etc., H. 429, pages 828, 828, 882, 1041, 1055, 1106.
- To amend Act to amend Section 4195 of the Code, H. 492, pages 1093, 1104, 1115, 1264, 1284.
- To amend Section 19 of Act to establish Inferior Court of Record in Counties of 300,000 population or more, approved July 20, 1931, H. 520, pages 905, 911, 1033, 1257.
- To amend Section 3 of General Revenue Act approved Aug. 22, 1923, H. 541, pages 905, 911, 1030, 1295, 1321, 1322.
- To amend Section 14 of Act to establish an Inferior Court of Record in counties of 300,000 population or more; jurisdiction, powers, etc., approved July 20, 1931, H. 547, pages 905, 911, 1032, 1257.
- To amend Act to provide and create a Commission form of Government, etc., and to authorize the adoption of same in certain cities and towns, etc., H. 553, pages 739, 739, 878, 1209, 1229, 1268, 1285.
- To amend Section 11 and 15 of Act to create office of Commissioner of Licenses in counties of 300,000 population or more, etc., approved July 16, 1931, H. 592, pages 833, 839, 883, 1197, 1217.
- To amend Section 3 of Act passed over Governor's veto June 16, 1931, to provide Deputy County Treasurer for counties of 100,000 to 300,000 population, H. 658, pages 1094, 1104.
- To amend Section 1 of Act to provide for an incorporation for constructing bridges, etc., approved Aug. 31, 1927, H. 663, pages 1139, 1139, 1173, 1309, 1316, 1337.
- To amend Section 2 of Act to provide more efficient handling of juries in circuit courts of counties of 200,000 population or more, approved Sept. 27, 1923, H. 664, pages 1095, 1104, 1111, 1258.
- To amend Act to create office of County Attorney in counties of 200,000 population or more, etc., approved July 17, 1931, H. 665, pages 1126, 1127.
- To amend title and certain sections and to repeal certain section of Act to require governing bodies of counties of not less than 110,000 population to purchase, etc., toll bridges in such counties, approved July 16th, 1931, H. 675, pages 1103, 1104, 1128 (H. R. 161).
- To amend Section 3, 6 and 7 of Act to provide in counties of 300,000 population or more for an election of ejectment to recover possession of real property, proceedings, regulated, etc., approved June 29, 1931, H. 684, pages 1095, 1104, 1111, 1362, 1370.
- To amend Act to further regulate, etc., bonds of county officials and employees, H. 689, pages 1139, 1139, 1207, 1309, 1312, 1337, 1344.
- To amend Section 361, Schedule 38½, of General Revenue Act approved Sept. 15, 1919, H. 698, pages 1145, 1145, 1171, 1384, 1388.

ACTS AMENDED—Continued.

- To amend Section 1 of Act to provide for expenses of members of Legislature, approved Jan. 28, 1927, S. 1, pages 30, 64, 83, 347, 378, 413, 426, 476.
- To amend Section 260 of General Revenue Act approved Sept. 15, 1919, S. 6, pages 31, 65, 87.
- To amend Section 9 of Act amending Sections 1, 2, 3, 4, 5, 6, 11, 12 and adding Section 12½ to an Act to amend an Act imposing excise tax on persons, etc., selling gasoline, S. 7, page 31.
- To amend Section 2 of an Act providing for inspection of Dairy Farms, Milk Plants, etc., approved Aug. 13, 1927, S. 12, page 36.
- To amend Section 1 of Act to provide for expenses of members of the Legislature, approved Jan. 28, 1927, S. 24, page 42.
- To amend Act to make appropriations for expenses of Executive and Judicial Departments, approved July 28, 1931, S. 28, page 42.
- To amend certain Sections of an Act to provide a general system of Legislation pertaining to public roads and highways, etc., approved Aug. 23, 1927, S. 45, page 60.
- To amend Section 50 of Act approved Sept. 10, 1927, to provide code of laws defining powers or municipal corporations, etc., S. 46, pages 61, 97, 137, 198, 222, 1292, 1293, 1304, 1396.
- To amend Section 8 of an Act to impose an excise tax on gasoline for use in better supervising public roads and bridges, approved July 27, 1931, S. 81, page 92.
- To amend Schedule 52 of General Revenue Act approved Sept. 15, 1919, S. 90, pages 119, 248, 287.
- To amend Section 6 of Act to provide for, regulate and control primary elections, etc., approved Feb. 25, 1931, S. 103, pages 142, 250, 292, 1351, 1365, 1401.
- To amend Section 5 of Act for purpose of finding out new scientific facts regarding use of fertilizer for farm and truck crops, etc., approved Sept. 10, 1927, S. 117, pages 195, 226, 267, 1351, 1365, 1400.
- To amend Act No. 289, approved Aug. 20, 1927, page 274, General Acts of 1927, S. 120, page 196.
- To amend Section 53 of General Revenue Act approved July 22, 1927, S. 152, page 272.
- To amend Section 15 of Act creating Commissioner of Licenses in counties of 300,000 population, approved July 16th, 1931.
- To amend Section 22 of Act to further provide for the revenue of the State by providing for registration of motor vehicles, etc., approved Sept. 13, 1923, S. 190, pages 421, 458, 565, 1353, 1366, 1399.
- To amend Act approved Sept. 10, 1927, authorizing, etc., issuance, sale, etc., of bonds of counties and cities and repealing certain sections of the 1923 Code, S. 194, pages 437, 515, 779, 1271, 1278, 1395.
- To amend Section 1 of Act authorizing incorporation of Alabama Bridge Corporation, approved Aug. 31, 1927, S. 196, pages 455, 505, 702, 914, 961, 1164, 1298.
- To amend Sections 12 and 16 of an Act to provide for registration and identification of motor vehicles, approved Sept. 13, 1923, S. 214, page 578.
- To amend Section 9 of an Act in reference to General Revenue, approved July 22, 1927, S. 215, page 578.
- To amend Section 8 of an Act in reference to General Revenue, approved July 22nd, 1927, S. 216, page 579.
- To amend Section 1 of Act to amend Sections 2927 and 2929 of the Code, approved March 5, 1931, S. 213, pages 512, 592, 786, 1290, 1304, 1397.

ACTS AMENDED—Continued.

- To amend title and body of Act to abolish office of Coroner for counties of 300,000 population or more, etc., approved May 27, 1931, S. 205, pages 484, 590, 697, 829, 849, 943.
- To amend Section 1 of Act to transfer jurisdiction of juvenile courts in counties of 35,000 population or less, etc., approved July 22, 1931, S. 222, pages 652, 731, 1058, 1290, 1304, 1397.
- To amend Act in relation to the educational system, etc., approved Aug. 25, 1927, S. 236, pages 716, 734, 881, 911, 988, 1002, 1043, 1320, 1344, 1398.
- To amend Act to provide for maintenance of Home for Mental Inferiors, approved Feb. 3, 1923, S. 237, pages 716, 734, 881, 988, 1025, 1219, 1393.
- To amend Schedule 51 of Revenue Act of 1919, S. 259, page 823.
- To amend Section 21 of Act to provide for establishment of base of operations, etc., of Ala. National Guard, approved July 2, 1931, S. 261, pages 824, 956, 1083, 1336, 1345, 1398.
- To amend an Act creating an additional Judge of the Fifth Judicial Circuit, S. 263, pages 824, 875, 1137, 1174.
- To amend title of Act approved July 27, 1931 (Gasoline Act), S. 264, pages 824, 874, 1084.
- To amend Section 1 of Act to amend Section 2011 of Code of 1923, approved Aug. 31, 1927, S. 270, pages 868, 947, 1087, 1206, 1219, 1394.

ACTS REPEALED—

- To repeal an Act passed July 2, 1931, "Providing in counties of 100,000 to 175,000 population, for fees to attorneys appointed by Judge to represent persons indicted for crime, maximum penalty for which is death, H. 38, pages 106, 109, 897, 1242, 1279.
- To repeal Act passed June 16th, 1931 "To provide a Deputy County Treasurer in counties having population of 100,000 to 300,000, H. 39, pages 106, 109.
- To repeal Act passed June 30th, 1931, "To provide for submit Constitutional Amendment authorizing City of Mobile to submit to voters of said City proposals to increase ad valorem taxes. H. 40, pages 106, 109, 144, 175, 202.
- To repeal Act passed July 25, 1931, To propose an amendment to the Constitution to authorize Mobile County to purchase, build, etc., sea walls, H. 41, pages 107, 109, 145, 175, 203.
- To repeal Act passed May 29th, 1931, To authorize cities and towns of 67,000 to 150,000 population to impose, fix, etc., license on malt extract, H. 42, pages 108, 109, 879, 1242, 1279.
- To repeal Act approved July 20th, 1931, To authorize County Commissioner, Boards Of Revenue, Boards of Revenue and Road Commissioners in counties of 105,000 to 300,000 population to impose excise tax on kerosene, etc., H. 43, pages 108, 109, 879, 1243, 1279.
- To repeal Act approved July 10, 1931, to provide, unless otherwise stated in the Act calling such election, when any special election is ordered by the Legislature on a Constitutional Amendment affecting municipalities of 68,000 to 200,000 population, expense of election to be paid by municipality affected, H. 44, pages 464, 465, 1078, 1209, 1225, 1279.
- To repeal Act passed June 30th, 1931, to submit Constitutional Amendment prescribing conditions, etc., City of Mobile may become indebted beyond limit fixed by Section 225 of the Constitution, H. 48, pages 108, 109, 146, 176, 203.
- To repeal Act to create official State grades for strawberries, etc., approved July 30, 1931, H. 254, pages 310, 313, 462, 572, 597.

ACTS REPEALED—Continued.

- To repeal act to further regulate jurisdiction of Justices of the Peace in counties of 300,000 population or more, approved July 20, 1931, H. 408, pages 894, 911, 1031, 1256.
- To repeal Act to provide payment of an expense account for Solicitor of 14th Judicial Circuit, H. 418, pages 534, 551, 592, 701, 741.
- To repeal Act to amend Section 1 of Act to provide for appointment of deputy registers and clerks in Judicial Circuits having more than two and less than five Circuit Judges, approved Feb. 12, 1927, H. 439, pages 518, 551.
- To repeal Act to further provide compensation of Court Reporters in Judicial Circuits composed of one County having more than two and less than nine Judges, approved Feb. 17, 1927, H. 493, pages 1093, 1104.
- To repeal Act approved Sept. 29, 1923, to amend Act approved Oct. 1, 1920, to amend Section 9 of Act to provide for appointment of Court Reporter by each Circuit Judge, approved Sept. 25, 1915, H. 494, pages 1093, 1104.
- To repeal Act to authorize and require the Board of Revenue of counties of 200,000 population or more to draw warrant in favor of Tax Assessor and Tax Collector, each, for ex-officio services, H. 594, pages 907, 911, 1032, 1240, 1286.
- To repeal Act to authorize and create an additional Judge of the Fifth Judicial Circuit, etc., approved Sept. 26, 1923, H. 597, pages 690, 691, 1174.
- To repeal Act to authorize and require Boards of Revenue, etc., of counties of more than 200,000 population to draw its warrant in favor of Tax Assessor and Tax Collector, each, for ex-officio services, etc., approved Sept. 2, 1927, H. 643, pages 1093, 1104, 1112, 1361, 1370.
- To repeal Act to better secure the administration of the State's affairs, etc., office of State Comptroller created, etc., approved Sept. 27, 1932, H. 655, pages 938, 939, 946, 1080, 1177, 1192, 1287.
- To repeal Sections 1 and 2 of an Act providing for inspection of Dairy Farms, Milk Plants, etc., approved Aug. 13, 1927, S. 12, page 36.
- To repeal Act to amend Act to define burial companies, associations, etc., approved July 2, 1931, S. 20, pages 41, 589, 785, 1206, 1218, 1393.
- To repeal Act to authorize Senate and House to fix per diem of officers and employees and expense allowance to President Pro-Tem of the Senate, approved Feb. 20, 1931, S. 23, pages 41, 65, 87.
- To repeal an Act in relation to Educational System, approved Aug. 25, 1927, S. 67, page 76.
- To repeal an Act authorizing issuance of contingent endowment contracts of insurance, S. 85, page 95.
- To repeal an Act to prohibit the writing of contingent endowment contracts by life insurance companies, S. 86, page 95.
- To repeal Sections 44, 45, 46, 47, 48, 49, 50, 51, 52 of Revenue Act approved July 22, 1927, S. 94, pages 120, 250, 282, 314.
- To repeal Act to advance cause of education by exempting from taxation property, income from which is used for educational purposes, approved Sept. 9, 1927, S. 95, pages 120, 146, 178.
- To repeal Section 47 of an Act enlarging authority, powers and jurisdiction of Public Service Commission, S. 99, page 142.
- To repeal an Act for protection of public health and welfare and providing for construction and maintenance of hospitals for treatment of tuberculosis, S. 149, pages 247, 286, 303, 315, 328.
- To repeal Act to amend title and Section 1 of Act creating juvenile courts in counties of 95,000 to 100,000 population, etc., approved April 21, 1931, S. 229, pages 685, 730, 921.

ACTS REPEALED—Continued.

- To repeal Act creating juvenile courts in counties of 95,000 to 175,000 population, etc., approved Sept. 9, 1927, S. 230, pages 686, 729, 919.
- To repeal Article 27 of an Act to provide a complete educational system, approved Sept. 26, 1919, S. 112, page 160.
- To repeal Act creating office of Deputy Circuit Clerk of Criminal Division of Circuit Court in counties of 200,000 population, approved Feb. 3, 1923, S. 273, pages 868, 950, 1050.
- To repeal an Act requiring county officers in counties of 150,000 population to maintain offices at such places as a Circuit Court is authorized in such counties, S. 274, pages 868, 948, 1051.

ADAMSON, W. J., ADMINISTRATOR—

- Relief of, H. 301, pages 1072, 1074, 1169, 1364, 1379.

AGRICULTURAL CODE—

- To amend Section 139 of, H. 299, pages 1126, 1127, 1208, 1349, 1367.
- To repeal Article 42 of (Industrial Section, Alabama Industrial Development Board), S. 42, pages 56, 67, 111, 115.

AGRICULTURAL RESOURCES—

- Commission for counties of 100,000 to 300,000 population to cooperate with State Board of Agriculture for encouragement of, S. 221, pages 588, 688, 793.

ALABAMA POLYTECHNIC INSTITUTE—

- Report of Committee appointed to investigate possibilities of resuming athletic relations with University of Alabama, page 1276.

ALABAMA PUBLIC SERVICE COMMISSION—

- Powers and jurisdiction of enlarged; supervision, inspection, etc., of public utilities, etc., H. 304, pages 916, 916, 916, 939, 940, 1028, 1202, 1281.
- Authority of enlarged; supervision, etc., of transportation companies, H. 526, pages 937, 939, 1029, 1203, 1265.
- Required not to allow utilities valuation in excess of 100% of value of property for rate making purposes, S. 58, pages 63, 103.
- Prohibited from authorizing utilities to charge penalties or forfeitures, S. 100, pages 142, 202.
- Authority, powers and jurisdiction of enlarged, S. 255, pages 808, 873, 1083.
- Authority and powers of enlarged, S. 256, pages 808, 874, 1083.

AMUSEMENTS, ETC.—

- Permitted in cities of 30,000 to 40,000 population on Sunday, S. 227, pages 685, 733, 854, 984, 1000, 1165.

ANTI HOG CHOLERA SERUM—

- Purchase and distribution provided for, S. 77, pages 79, 226, 284.

APPROPRIATIONS—

- For expense of Legislature, H. 181, pages 506, 513, 601, 625.
- General, H. 390, pages 1044, 1045, 1160, 1175.
- Act to make appropriations for expenses of Executive and Judicial Departments, approved July 28, 1931, amended, S. 28, page 42.
- For expense of Legislature, S. 34, pages 50, 65, 88, 124, 125, 474.
- To State Department and each and every college reduced, S. 66, pages 76, 299, 1137.
- To repeal all outstanding Sept. 30, 1932, S. 133, page 216.
- General, for ordinary expenses of Executive, Legislative and Judicial Departments and interest on public debt and for schools, S. 235, pages 716, 734, 881, 911, 988, 991, 1043, 1324, 1338, 1345, 1358, 1369, 1401.

ASSEMBLAGES—

For protection of, H. 337, pages 1126, 1127, 1208, 1349, 1367.

ATHENS, CITY OF—

Streets in; all persons relieved of obligation to work on or to pay in lieu thereof, S. 130, pages 214, 249, 289, 829, 849, 943.

To amend Section 1 of Act to require Clerk of to make quarterly publication of itemized report of receipts and expenditures, approved July 17, 1931, S. 131, pages 215, 249, 290, 624, 655, 940.

BANKING—

Excise tax on privilege of engaging in, H. 12, pages 584, 584, 723, 814, 830, 887.

BANKS, STATE—

Having capital of not less than \$500,000 and located in municipalities of 50,000 population or more, permitted to maintain and operate branch banks, H. 529, pages 1140, 1141, 1171, 1361.

BAILIFFS—

Further regulated in Circuit Courts in counties of 200,000 or more; minimum number of; appointment, compensation, etc., H. 644, pages 1094, 1104, 1111, 1249, 1269, 1269, 1339, 1371.

BASS—

Conservation and protection of provided for, S. 165, pages 298, 362, 442.

BECKHAM, MRS. MAUDE ADAMS—

Relief of, H. 261, pages 982, 984, 1029, 1209, 1223, 1280.

BESSEMER, CITY OF—

Commission form of government provided for; offices of Mayor and Aldermen abolished; election of commissioners, etc., S. 207, pages 489, 590, 697, 1377.

BEVERAGES—

To repeal sections 4615 to 4800, both inclusive, and make legal the sale of any beverage made legal for sale in the U. S. by Congress, S. 257, pages 823, 884, 914, 975.

BIRMINGHAM, CITY OF—

Nepotism; practice of by officials of prohibited, H. 505, pages 539, 551. One Clerk for both divisions of Municipal Court of, and as many assistant clerks as may be necessary; appointment, duties and compensation, H. 614, pages 1097, 1104, 1112, 1258.

Extending time for redemption of real estate from sale in, subsequent to Jan. 1, 1930, and prior to Jan. 1, 1940, H. 683, pages 1102, 1104, 1111, 1381.

Inferior Court established in for certain precincts, S. 206, pages 484, 589, 696, 1187, 1213, 1360, 1370, 1372, 1390, 1401.

BLAN, S. H.—

Communication from with reference to condition of State Treasury, page 1129.

BLIND PERSONS—

Exempt from special privilege license, H. 193, pages 330, 330, 459, 568, 583, 597.

BLOUNT COUNTY—

Public roads or streets in all persons relieved of legal obligation to work on, H. 531, pages 737, 739, 825, 936, 1145, 1178.

BOARDS OF EDUCATION—

To prohibit from collecting incidental fees, S. 60, page 63.

BOARDS OF REVENUE—

To require members to execute bond, S. 178, page 357.

BRENNAN, SAM FRANCIS—

Relief of, H. 314, pages 521, 551, 883, 1177, 1198, 1216.

BRIDGES AND CAUSEWAYS—

To encourage building of, S. 125, pages 197, 361, 433, 829, 849, 943, 962, 981, 1000, 1165.

BRIGHT, TOM—

Relief of H. 441, pages 1096, 1104, 1170, 1383, 1387.

BUILDINGS, BRIDGES, ETC.—

Naming of for persons living prohibited, H. 98, pages 353, 354, 505, 576, 597.

BUILDING AND LOAN ASSOCIATIONS—

Further regulated, H. 164, pages 452, 453, 459, 701, 740.

Distribution of funds of further regulated, S. 195, pages 437, 459, 857, 1163.

BURIAL COMPANIES, ASSOCIATIONS, ETC.—

Defined, regulated, etc., H. 145, pages 309, 326, 365, 397.

Te define and regulate and to protect from unjust or discriminatory treatment by Bureau of Insurance; fixing penalties for violation of, S. 19, page 41.

BUTLER COUNTY—

Board of Education of authorized to appropriate money to operate Georgian Public School, H. 252, pages 312, 313, 359, 416, 424.

Deputy Solicitor abolished, H. 339, pages 394, 397, 461, 571, 597.

County Solicitor for created; election, powers, duties, etc., H. 340, pages 395, 397, 462, 572, 598.

CALHOUN COUNTY—

Constitutional amendment fixing salaries of officers of, H. 8, pages 135, 137.

Salary of Judge of Probate fixed; clerical assistance and other expenses; salary of Tax Assessor and Tax Collector fixed, assistance, etc., H. 532, pages 639, 650, 1039, 1211, 1291, 1321.

CASUALTY INSURANCE—

To require those engaging in business of to deposit securities, S. 146, pages 247, 459, 568, 589, 780.

CEREAL BEVERAGES—

Manufacture, sale, etc., regulated, H. 71, pages 377, 378, 390, 469, 474, 495, 581, 596.

CERTIFICATED WARRANTS—

To authorize State Treasurer to pay out of certain funds, S. 239, page 716.

CHIEF EXAMINER OF ACCOUNTS—

Appointment by Governor to be confirmed by Senate, S. 167, page 298.

CHOCTAW COUNTY—

Commissioners Court of authorized and directed to appropriate \$2,500 for payment of registered witness tickets, etc., H. 672, pages 1124, 1125, 1172, 1382, 1387.

CIRCUIT CLERKS—

Salary of fixed in counties of 300,000 population, S. 284, pages 987, 1034, 1116, 1156.

CIRCUIT COURTS—

Division in, in counties of 110,000 to 350,000 population, S. 225, pages 653, 731, 922.

CIRCUIT JUDGES—

Salaries of fixed in circuits now or hereafter having ten or more judges, etc., H. 612, pages 911, 911, 1032, 1256.

Salaries of fixed in circuits having ten or more judges, H. 615, pages 911, 911, 1031, 1256.

Salaries of in circuits of 200,000 population or more supplemented; payment, etc., H. 645, pages 1094, 1104, 1110, 1381.

Salaries of in circuits of 200,000 population or more supplemented; payment, H. 647, pages 1094, 1104, 1110, 1241, 1269, 1269, 1341, 1371.

Salaries of to be supplemented by counties of 300,000 population, S. 282, pages 986, 1034, 1116, 1155.

CIRCUIT SOLICITORS—

Compensation of fixed in circuits having not less than three and not more than nine judges, H. 697, pages 1142, 1145, 1172, 1357, 1368.

CITIES AND TOWNS—

Annexed by vote of people to class "D" cities, election of commissioners for consolidated city, provided for, etc., H. 345, pages 353, 354, 1078, 1263, 1281.

To regulate housing and farm relocation corporations, authorized, H. 585, pages 965, 966, 1035, 1177, 1195, 1286.

Authorized to construct, etc., sewage and disposal plants; charges against owners of premises, etc., H. 661, pages 1043, 1044, 1114, 1177, 1195, 1288.

Purchase of water works systems by further provided for, etc., H. 662, pages 1043, 1044, 1114, 1177, 1194, 1289.

Where two or more have consolidated, where licenses levied on population classification, levy computed on population of municipality where business carried on, H. 699, pages 1142, 1145, 1171, 1349, 1368.

CLAIMS—

Propounding and prosecution of against U. S. Government provided for, S. 72, pages 77, 146, 177, 1270, 1277, 1394.

CLARKE COUNTY—

County Superintendent of Education, election of; term, duties, etc., H. 225, pages 263, 264, 301, 369, 392, 398.

CLERK OF THE HOUSE—

Time allowed for completing work and filing journals in office of Secretary of State, S. 228, pages 685, 728, 917, 1293, 1293, 1304, 1397.

CODE AMENDED—

Section 8822, H. 49, pages 98, 221, 231.

Section 7407, (Sub-Section 7), H. 121, pages 313, 313, 358, 404, 424.

Section 7019, H. 127, pages 283, 301, 367, 392, 397.

Section 779, H. 137, pages 1142, 1145, 1208, 1309, 1311, 1337, 1343.

Section 3022, (Group 6), H. 192, pages 330, 330, 365, 459, 567, 597.

Section 9022, H. 213, pages 354, 354, 389, 471, 497, 559.

Section 9590, H. 241, pages 260, 263, 358, 415, 424.

Section 5270, H. 245, pages 580, 580, 724, 956.

Section 3615, H. 246, pages 580, 580, 724, 928, 956.

- Section 5268, H. 247, pages 580, 580, 725, 929, 956.
 Section 10471, H. 248, pages 1125, 1127, 1208, 1383, 1387.
 Section 8277, H. 260, pages 830, 839, 882, 1058, 1121.
 Section 3671, H. 271, pages 1001, 1001.
 Section 376 as amended by act approved Aug. 20, 1927, H. 278, pages 391, 422, 468, 474, 496.
 Section 5392, H. 322, pages 937, 939, 1029, 1203, 1265.
 Section 3040, H. 399, pages 658, 658, 724, 926, 979, 1047.
 Section 3048, H. 420, pages 658, 658, 724, 927, 979, 1047.
 Section 4195, H. 492, pages 1093, 1104, 1115, 1264, 1284.
 Section 4820, H. 574, pages 964, 965, 1035, 1262, 1285.
 Section 1201, H. 636, pages 1142, 1145, 1171, 1381, 1387.
 Section 3320, H. 659, pages 1126, 1127, 1208, 1350, 1368.
 Section 3110, S. 2, pages 30, 65, 84, 270, 280, 475.
 Section 3111, S. 3, pages 30, 65, 86, 270, 280, 475.
 Section 3110, S. 30, pages 43, 67, 138.
 Section 5076, S. 31, pages 43, 96, 128.
 Section 7285, S. 36, page 50.
 Section 6734, S. 43, page 60.
 Section 2107, S. 47, pages 61, 93, 115, 270, 280, 475.
 Section 9606, S. 53, pages 63, 96, 125.
 Section 1914, S. 54, page 63.
 Section 9612, S. 55, pages 63, 96, 128, 1336, 1365, 1399.
 Section 9609, S. 57, pages 63, 95, 127.
 Section 8663, S. 59, pages 63, 198, 221, 385, 391, 476.
 Section 3040, S. 61, pages 75, 588, 915.
 Section 3048, S. 62, pages 75, 588, 916.
 Section 7019, S. 64, page 75.
 Section 8563, S. 71, pages 77, 200, 224, 283.
 Section 3991, S. 91, pages 119, 198, 221.
 Section 8089, S. 92, pages 120, 456, 508.
 Section 2216 as amended by act approved Sept. 10, 1927, S. 96, pages 120, 198, 222, 453, 463, 940.
 Section 10471, S. 97, page 120.
 Section 8563, S. 98, page 141.
 Section 7409, S. 101, pages 142, 198, 222.
 Section 4195, S. 102, pages 142, 163, 209, 354, 364, 476.
 Section 9757, S. 109, pages 160, 202.
 Section 6336, S. 113, page 187.
 Section 373, S. 116, pages 195, 301, 367.
 Sections 375, 376, 387, 392, 393, 402, 403, S. 120, page 196.
 Section 3762, S. 141, pages 243, 301, 367, 795, 812, 943.
 Section 370, S. 147, page 247.
 Section 370, S. 148, pages 247, 688, 787, 1077, 1106, 1166.
 Section 2227, S. 151, pages 272, 303, 315, 362, 443.
 Section 5555, S. 157, pages 274, 362, 403.
 Section 3119, S. 158, pages 274, 358, 402.
 Section 8418, S. 160, pages 285, 459, 1160.
 Section 834 (Subdivision 2), S. 189, pages 421, 458, 498, 624, 657, 942.
 Section 240, S. 191, pages 421, 458, 565, 1160, 1179, 1391.
 Section 1897, S. 193, pages 437, 515, 706, 1271, 1278, 1395.
 Section 10593, S. 199, pages 456, 512, 706, 1336, 1365, 1401.
 Section 1907, S. 200, pages 456, 512, 706.
 Section 2916, S. 212, pages 511, 787, 1290, 1304, 1397.
 Section 10358, S. 223, pages 652, 725, 918.
 Section 1201, S. 233, pages 713, 1030, 1161.
 Section 1463, S. 238, pages 716, 734, 882, 988, 1026, 1271, 1278, 1396.
 Section 312 and 324, S. 244, pages 800, 874, 1084, 1271, 1278, 1396.
 Section 5392, S. 254, pages 808, 875, 1083.

CODE AMENDED—Continued.

Section 3320, S. 260, page 824.

Section 1490, S. 271, pages 868, 948, 1160.

CODE REPEALED—

Section 3122, S. 4, pages 30, 65, 86.

Sections 906, 907, 908, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, S. 44, pages 60, 93, 114, 115.

Chapter 277, S. 48, pages 61, 303, 316, 329, 372.

Sections 405, 406, 407, 408, 409, 410, 411, 412, S. 82, page 94.

Sections 677, 678, 679, 680, 681, 682, 683, 684, S. 82, page 94.

Section 8092, S. 93, page 120.

Section 247, S. 145, page 247.

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